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OSWER Directive Initiation Request		
2. Originator Information		
Name of Contact Person Alexander L. Wolfe	Mail Code OS-342	Office OSW
Telephone Code (202) 382-2210		
3. Title State Programs Advisory (SPA) #6		
4. Summary of Directive (include brief statement of purpose) The purpose of this Directive is to update the "State Consolidated RCRA Authorization Manual (SCRAM)" (OSWER Directive #9540.00-09). SPA #6 covers RCRA program changes for the period of July 1, 1980, through December 31, 1980. It includes 11 new checklists, Attorney General's Statement language for the changes covered by the SPA, and other revised material.		
5. Keywords State Authorization / State Program / RCRA		
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b. Does It Supplement Previous Directive(s)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes What directive (number, title) #9540.00-09 / #9541.00-06 / #9541.00-07 / #9541.00-09 / #9541.00-10		
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This Request Meets OSWER Directives System Format Standards.	
9. Signature of Lead Office Directives Coordinator <div style="display: flex; align-items: center;"> <div style="flex: 1;"> </div> <div style="flex: 1; text-align: right;"> Date 8/2/89 </div> </div> Jennifer A. Barker, Policy Directives Coordinator, OSW	
10. Name and Title of Approving Official Sylvia K. Lowrance, Director, Office of Solid Waste	Date 7/13/89

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

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

O# 3751032

JUL 13 1989

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSEMEMORANDUM

SUBJECT: State Programs Advisory Number Six

FROM: *for* Sylvia K. Lowrance, Director
Office of Solid Waste *B. R. Wolfe*

TO: Regional Division Directors, Regions I-X

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

The purpose of this memo is to send you SPA #6 which covers RCRA program changes for the period July 1, 1989 through December 31, 1989. Included in the SPA are eleven new checklists, model Attorney General's Statement language for the changes covered by the SPA, and other revised materials. Please note that the checklist for Land Disposal Restrictions for the "First Third" wastes is included in this SPA. (see attached list).

If you have questions about any of these materials, please contact Alex Wolfe, Chief, Implementation Section, State Programs Branch at FTS 382-2210.

Attachments

cc: Branch Chiefs, Region I-X
Section Chiefs, Region I-X

ATTACHMENT

List of materials included in SPA#6

- o Eleven additional checklists (numbered 47 -50 and 52 - 58) for rules that fall within three Clusters, non-HSWA V, HSWA I and HSWA II.
- o Revised portions of the SCRAM necessitated by addition of eleven new checklists.
- o Revised copies of the 272 Codification Models G and H, proposed/final and immediate final rule.
- o Updated pages of existing checklists for substitution in the SCRAM
- o Revision Checklist Linkage Table.

NOTE:

Revision Checklist number 51 has been reserved pending resolution of litigation surrounding the September 1, 1988 (53 FR 33938) final rule.

STATE PROGRAM ADVISORY #6

A. STATE PROGRAM CHANGES FOR JULY 1, 1988 - December 31, 1988

1. Identification and Listing of Hazardous Waste; Technical Correction

Date: July 19, 1988

Reference: 53 FR 27162-27163

Effective: July 19, 1988

Summary: This technical correction amends a final rule promulgated March 24, 1986 (51 FR 10174), that established special requirements for generators of between 100 and 1,000 kilograms of hazardous waste per month (addressed by Revision Checklist 23). A typographical error inadvertently changed a requirement for generators of acute hazardous waste. Today's correction amends the regulation to restore the correct language and inserts a note to further clarify the point.

State Authorization: This is a HSWA rule and will be included in HSWA Cluster I because it corrects Revision Checklist 23 which is in this cluster. The state modification deadline is July 1, 1989. States are encouraged to adopt these technical corrections when Revision Checklist 23's changes are adopted. If this checklist has already been adopted, states should adopt these technical corrections as soon as possible. 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 47 and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

2. Farmer Exemptions; Technical Corrections

Date: July 19, 1988

Reference: 53 FR 27164-27165

Effective: July 19, 1988

Summary: These technical corrections correct cross-referencing errors made in regulations promulgated for the export of hazardous waste on August 8, 1986 (51 FR 28664, Checklist 31). Those regulations resulted in moving the RCRA farmer exemption to a new section in the CFR, but failed to modify a number of other sections in the CFR which refer to the farmer exemption by section. Other technical corrections to the farmer exemption made by this July 19 FR were previously corrected as part of developing Revision Checklist 39. These corrections are addressed in one of the footnotes to that checklist.

State Authorization: This is a HSWA rule and will be included in HSWA Cluster I because it corrects Revision Checklist 31 which is in this cluster. The state modification deadline is July 1, 1989. States are encouraged to adopt these technical corrections when they adopt Revision Checklist 31's changes. If this checklist has already been adopted, states should adopt the technical corrections as soon as possible. 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 48 and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

3. Identification and Listing of Hazardous Waste; Treatability Studies Sample Exemption

Date: July 19, 1988

Reference: 53 FR 27290-27302

Effective: July 19, 1988

Summary: This rule exempts, within certain limitations, waste samples used in small-scale treatability studies from Subtitle C regulation under the Resource Conservation and Recovery Act (RCRA). Consequently, generators of the waste samples and owners or operators of laboratories or testing facilities conducting such treatability studies will be exempt from the Subtitle C hazardous waste regulations, including the permitting requirements, when certain conditions are met.

This rule adopts the exemption in sections 261.4(e) and (f), which are less stringent than existing Federal requirements; thus, authorized states are not required to adopt these sections. However, EPA strongly encourages states to do so as quickly as possible, as this rule is needed to facilitate evaluating remediation alternatives for CERCLA clean-ups and the RCRA Corrective Action Program. It will also help speed research and development for treatment alternatives to land disposal and waste minimization.

State Authorization: This is a non-HSWA rule and will be included in non-HSWA Cluster V. The state modification deadline is July 1, 1990. (Note: The deadlines given in the Federal Register are incorrect.) Only final authorization is available. The state revision application must include a revised program description, an AG statement addendum, addendum to MOA (if appropriate), Revision Checklist 49, and associated state regulations. EPA will undertake expedited review of state revision applications. Also, EPA encourages states to use existing authorized state authorities (such as permit waiver or emergency permit provisions) to exempt treatability study activities pending authorization (see 53 FR at 27300).

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

4. Land Disposal Restrictions for First Third Scheduled Wastes

Date: August 17, 1988 Reference: 53 FR 31138-31222 and
As amended February 27, 1989 54 FR 8264-8266

Effective: August 8, 1988, except
 for the modifications to
 268.5(h)(2) which are
 effective November 8, 1988 1/

Summary: This rule promulgates specific treatment standards and effective dates for certain so-called "First Third" wastes. In addition, the Agency is promulgating regulations implementing the land disposal restrictions for those First Third wastes for which EPA is not establishing a treatment standard. In particular, EPA is applying to First Third waste the requirement that wastes granted a national capacity variance under 3004(h) and wastes for which no treatment standard is set and are destined for a landfill or surface impoundment under 3004(g)(6) must be disposed in a unit meeting minimum technological requirements. This rule also establishes regulations which do not involve First Third wastes, including modifications to existing "no migration" petition process requirements, and the rescission of the nationwide capacity variance for hazardous wastes (other than contaminated soils) containing halogenated organic compounds (HOCs) granted by EPA on July 8, 1988 (52 FR 25760). The treatment standard for certain California list wastes and methylene chloride in pharmaceutical industry spent solvent wastewaters are amended. Also, 266.20 is amended to require most hazardous wastes used in a manner constituting disposal to meet the applicable treatment standards for the prohibited waste they contain.

The delegability of the land disposal restrictions remains unchanged from the July 8, 1988 (52 FR 25760, Revision Checklist 39) rule. EPA will continue to handle "no migration" petitions (268.6) at Headquarters, though the states may be authorized to grant these petitions in the future.

Note: EPA has been subject to extensive litigation over the First Third rule. Certain aspects of this rule have been amended or delayed, in part as a result of settlement agreements. If portions of this rule are remanded as a result of litigation, the checklist will be revised after that time. Thus, Revision Checklist 50 indicates, where appropriate, certain provisions that states need not adopt at this time. If or when

1/ An administrative stay was published on January 27, 1989 (54 FR 4021) but expires 30 days after EPA takes final action on the November 17, 1988, solicitation of comments.

imposed at a later date, these requirements will be the subject of subsequent checklists.

State Authorization: This is a HSWA rule and will be included in HSWA Cluster II. The state modification deadline is July 1, 1991. 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 50 and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

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

Date: September 1, 1988

Reference: 53 FR 33938-33960

Effective: October 3, 1988

This section has been reserved because the final rule addressed by Revision Checklist 51 is currently subject to litigation. Its number and placement in non-HSWA Cluster V are reserved for insertion of the checklist when this litigation has been resolved. Also, an entry for this checklist will not be made in the Model Attorney General's Statement until this litigation is resolved.

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

Date: September 2, 1988

Reference: 53 FR 34079-34087

Effective: September 2, 1988

Summary: This rule provides additional interpretation, clarification, and correction of typographical errors for the final rule issued for hazardous waste tank systems on July 14, 1986 (51 FR 25422; Revision Checklist 28).

State Authorization: Sections of this rule that are non-HSWA related will be included in non-HSWA Cluster V; sections of this rule that are HSWA-related will be included in HSWA Cluster II. It is recommended that States seek program modification for the rules promulgated under both clusters by the deadline for non-HSWA Cluster V, July 1, 1990. Non-HSWA regulations include 264.114, 265.114, 265.210(c)(3), and 270.2. Only final authorization is available. The state revision application must include a revised program description, an AG statement addendum, addendum to MOA (if appropriate), Revision Checklist 52, and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

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

Date: September 13, 1988

Reference: 53 FR 35412-35421

Effective: March 13, 1989

Summary: As a direct response to a court order, EPA is adding six wastes to the list of hazardous wastes from specific sources (40 CFR 261.32). The six hazardous wastes are generated from metal smelting operations. These wastes were previously listed as hazardous, but the listings were suspended because of the "Bevill Amendment."

State Authorization: This is a non-HSWA rule and will be included in non-HSWA Cluster V. The state modification deadline is July 1, 1990. Only final authorization is available. The state revision application must include a revised program description, an AG statement addendum, addendum to MOA (if appropriate), Revision Checklist 53, and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

8. Permit Modifications for Hazardous Waste Management Facilities

Date: September 28, 1988
As amended
October 24, 1988

Reference: 53 FR 37912-37942 and
53 FR 41649

Effective Date: October 28, 1988

Summary: This rule provides owners and operators with more flexibility to modify permit conditions, expands public notification and participation opportunities, and allows for expedited approval if no public concern exists for a proposed permit modification. Three classes of selected permit modifications have been categorized (Classes 1, 2, and 3) with administrative procedures specified for approving modifications within each class.

Authorized states are not required to modify their programs to reflect the changes detailed in this rule, because the changes are not more stringent than the existing Federal requirements. States are strongly encouraged, however, to adopt this permit modification rule as promulgated. States may also receive authorization for the incorporation of only selected portions

of the rule insofar as the overall effect of their program is no less stringent than the Federal program. The Federal Register (pages 37933 and 37934) discusses possible components of the rule that States may elect to adopt.

State Authorization: This is a non-HSWA rule and will be included in non-HSWA Cluster V. The state modification deadline is July 1, 1990. Only final authorization is available. The state revision application must include a revised program description, an AG statement addendum, addendum to MOA (if appropriate), Revision Checklist 54, and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

9. Statistical Methods for Evaluating Ground-water Monitoring Data from Hazardous Waste Facilities

Date: October 11, 1988

Reference: 53 FR 39720-39731

Effective: April 11, 1989

Summary: This rule refines statistical methods that must be used to evaluate the presence or increase in contamination of groundwater at permitted hazardous waste land disposal facilities. The rule specifies five different statistical methods that are more appropriate to ground-water monitoring than the Cochran's Approximation to the Behren's-Fisher Student's t test. These amendments also outline sampling procedures and performance standards designed to help minimize the event that a statistical method will indicate contamination when it is not present (Type I error), and fail to detect contamination when it is present (Type II error).

State Authorization: This is a non-HSWA rule and will be included in non-HSWA Cluster V. The state modification deadline is July 1, 1990. Only final authorization is available. The state revision application must include a revised program description, an AG statement addendum, addendum to MOA (if appropriate), Revision Checklist 55, and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

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

Date: October 31, 1988

Reference: 53 FR 43878-43881

Effective: October 31, 1988

Summary: This rule removes iron dextran (EPA Hazardous Waste No. U139) from the list of commercial chemical products which are hazardous wastes when discarded or intended to be discarded (40 CFR Part 261.33) and from the list of RCRA hazardous constituents, Appendix VIII of Part 261. This rule also removes iron dextran from CERCLA's list of hazardous substances. Although iron dextran has been designated a Class B2 carcinogen by EPA's Carcinogen Assessment Group, this designation was based on studies limited to animals which were given subcutaneous or intramuscular injections of iron dextran. EPA now concludes that iron dextran, when discarded, does not pose a significant hazard to human health or the environment, because, due to its size, stability, and osmotic pressure, it is not absorbed by the oral, dermal, or inhalation routes. Also, exposure via subcutaneous or intramuscular injection is unlikely.

Authorized states are not required to modify their programs to reflect this generic delisting, because this rule reduces the scope of existing Federal requirements.

State Authorization: This is a non-HSWA rule and will be included in non-HSWA Cluster V. The state modification deadline is July 1, 1990. Only final authorization is available. The state revision application must include a revised program description, an AG statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 56, and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

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

Date: October 31, 1988

Reference: 53 FR 43881-43884

Effective: October 31, 1988

Summary: This rule removes strontium sulfide (EPA Hazardous Waste No. P107) from the list of commercial chemical products which are hazardous wastes when discarded or intended to be discarded (40 CFR 261.33) and from the list of RCRA hazardous constituents, Appendix VIII of Part 261. This rule also removes strontium sulfide from the list of hazardous substances under CERCLA.

EPA's original designation of strontium sulfide was primarily based on its LDL listed in the Registry of Toxic Effects of Chemical Substances by the National Institute for Occupational Safety and Health in 1978, which failed to include the qualifying statement by the original researcher that the toxicity for strontium sulfide was based upon "obviously inadequate data" and that it could "represent no more than guesses." The Agency has sought but has not been able to locate any other studies of the toxicity of this substance; this delisting is due to this lack of reliable information. The Agency feels there is insufficient evidence to support the continued testing of strontium sulfide as either an acute hazardous waste or as a toxic waste. This delisting notwithstanding, the Agency believes that wastes containing high concentrations of strontium sulfide may exhibit the characteristic of reactivity, in which case they must be handled as hazardous waste.

Authorized states are not required to modify their programs to reflect this generic delisting, because this rule reduces the scope of existing Federal requirements.

State Authorization: This is a non-HSWA rule and will be included in non-HSWA Cluster V. The state modification deadline is July 1, 1990. Only final authorization is available. The state revision application must include a revised program description, an AG statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 57, and associated state regulations.

SCRAM Update: Updates to Table A-1 of Appendix A and to the Model Attorney General's Statement are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA.

12. Standards for Generators of Hazardous Waste

Date: November 8, 1988

Reference: 53 FR 45089-45093

Effective: November 8, 1988

This section has been reserved because certain issues relating to Revision Checklist 58 have not as yet been resolved. Its number and placement in non-HSWA Cluster V are reserved for insertion of this checklist when these issues have been resolved. An entry for this checklist will not be made in the Model Attorney General's Statement until this time, as well.

B. REVISIONS TO SCRAM

The addition of twelve new checklists (one of which is reserved due to litigation) necessitates revisions to Table A-1 of Appendix A, and to the Model Attorney General's Statement. These sections are included in Attachment B and should replace these parts in the most recent SCRAM. Specifically, the revisions are as follows:

- o The revised Table A-1 should replace pages 2-2a through A-2g of SCRAM. Table A-1 was revised by adding non-HSWA Cluster V to the cluster list on Page A-2a as well as by adding this cluster to the main body of the Table (i.e., pp.2-2b through 2-2g). Revision checklists 49, 51 and 53 through 58 were placed in non-HSWA Cluster V. These checklists open this cluster which closes on June 30, 1989. Revision Checklist 50 is in HSWA Cluster II which closes on June 30, 1990. Revision Checklist 52 belongs in both clusters as it contains both HSWA and non-HSWA changes to the regulations. Revision Checklists 47 and 48 both address technical corrections to existing revision checklists that are in HSWA Cluster I. As such, both Revision Checklists 47 and 48 were placed in this cluster, reflecting the new procedure of placing technical corrections in the same cluster as the checklist they correct. Similarly, Revision Checklist 46 was changed from non-HSWA Cluster IV to non-HSWA Cluster III, as it is a technical correction to Revision Checklist 29 which is in non-HSWA Cluster III. As this procedure was made retroactive only to the checklists covered by SPA 4, Revision Checklist 46 was the only existing checklist whose cluster was changed.
- o The revised Model Attorney General's Statement should replace pages 3.3-4 through 3.3-23 of the SCRAM. Sections I B, VII A, XIV, XV I, and XXI A & B were revised and Sections I A (10) & (11), I H, I I, XI C, XVI P and XXI C were added to reflect the addition of eleven of the new checklists. An entry was not made for Revision Checklist 51, as the final rule it represents is currently subject to litigation. Sections I B and I E of the Model Attorney General's Statement were also revised to reflect Revision Checklists 17 A and 17 C, respectively, as these references had inadvertently been left out of the Model Attorney General's Statement. Several typographical errors were also corrected including the incorrect reference to 17 F by XVI M. "17 F" was changed to "44 F." A footnote was also added to the Model Attorney General's Statement to clarify the difference between XV. STANDARDS FOR FACILITIES and XI. GROUNDWATER MONITORING as the latter set of changes are a subgroup of the former set of changes. Also, Section XII B has caused some confusion due to its general reference to §3004(q)-(s) of RCRA. This section was revised to be more specific.

Review of the Model Federal Register Notices has uncovered sections of Models C, G and H which need revision. These revised models may also be found in Attachment B and they should replace Models G and H (pp. C-48 through C-70) and the first two pages of Model C (pp. C-26 & C-27) in the existing SCRAM. On Model C the CFR reference at the top of page C-26 was changed from "272" to "271." Page C-27 is included for convenience to avoid paging problems. The specific changes for G and H are as outlined below:

- o The provisions of authorized state law that EPA will enforce RCRA under have been changed from "3008, 3013 and 7003" to "3008."
- o A sentence regarding the time frame for EPA to amend a State's Part 272 codification relative to new HSWA provisions was removed.

C. CORRECTIONS TO EXISTING REVISION CHECKLISTS

In reviewing state authorization packages, several errors in existing base program and revision checklists have come to the attention of the State Programs Branch. This section addresses these errors. Base program and revision checklist pages for substitution in the existing SCRAM are provided in Attachment C.

The specific revisions are as follows:

- o Checklist IVB, Page A-56, 265.145 (h). "265.140(h)" was changed to "265.145(h)."
- o Revision Checklist 13, Page 3, 261.6(a)(3). "For" was changed to "from."
- o Revision Checklist 21, Page 1, 261.32. In the K118 listing, "debromide" was changed to "dibromide."
- o Revision Checklist 22, Page 1, 261.31. A chemical was left out of the F005 listing; consequently, "2-ethoxyethanol, and" was inserted after "benzene."
- o Revision Checklist 23, Page 1. A citation (261.5 (k)) and description (remove paragraph) were added at the end of the page. The Federal Register addressed by this checklist removed this paragraph, but it was not indicated on the checklist. This change corrects this omission.
- o Revision Checklist 28, Page 1. A note was added to the top of this checklist explaining its relationship to Revision Checklist 52. Also, some changes (additions and deletions) were made in the checklist as to which citations are affected by Footnote 1. This footnote indicates which regulations are HSWA-related.
- o Revision Checklist 31, Page 1. Special Note No. 3 was added at the top of this page regarding the failure of EPA to modify a number of sections in the CFR affected by moving the farmer exemption to a new paragraph. States are encouraged to address the corresponding technical corrections of Revision Checklist 48 when modifying the farmer exemption as per Revision Checklist 31.

- o Revision Checklist 34, Page 1. A second note was added to this checklist explaining its relationship to Revision Checklist 50.
- o Revision Checklist 39, Page 1. A second note was added to this checklist explaining its relationship to Revision Checklist 50.
- o Revision Checklist 46, Page 1. A note was added to this checklist explaining why it is in non-HSWA Cluster III rather than in non-HSWA Cluster IV.

D. REVISION CHECKLIST LINKAGE TABLE

The "Revision Checklist Linkage Table" has been included as part of the SPA for the convenience of SCRAM users, Regional staff, and states seeking authorization for changes in their existing RCRA program. This table's purpose is to clearly show which Revision Checklists are "linked" in that they affect similar sections of code. This table may be found in Attachment D.

If you need or are interested in information on the "change" or "revision" history of a particular section of code, you should consult FEDTRAK Report 3--Citation Change History. A copy of this report may be obtained from Paul Nowak of the Headquarters State Program Branch.

ATTACHMENT A

New Revision Checklists

RCRA REVISION CHECKLIST 47

Identification and Listing of Hazardous Waste;
 Technical Correction
 53 FR 27162-27163
 July 19, 1988
 (HSWA Cluster I)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

NOTE: This is a technical correction to the March 24, 1986, 51 FR 10174 addressed by Revision Checklist 23. This present checklist has been placed in HSWA Cluster I, because it corrects a checklist in that cluster. Because this cluster is already closed, states need to adopt this technical correction as soon as possible.

 PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

 SUBPART A - GENERAL

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

add comment to end of paragraph	261.5(e)		
change 262.34(d) reference to 262.34(a)	261.5(f)(2)		

RCRA REVISION CHECKLIST 48

Farmer Exemptions; Technical Corrections
 53 FR 27164-27165
 July 19, 1988
 (HSWA Cluster I)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

This is a technical correction to the August 8, 1986, 51 FR 28664 addressed by Revision Checklist 31. This FR also makes technical corrections (i.e., to 262.51 and 262.70) to the July 8, 1987 52 FR 25760 addressed by Revision Checklist 39; however, those errors were detected when Revision Checklist 39 was developed. As such, Revision Checklist 39 addresses these corrections and there is no need to address them in this present checklist.

This present checklist has been placed in HSWA Cluster I, the same cluster as the revision checklist it corrects. Because this cluster is already closed, states should adopt these changes as soon as possible.

(1)

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF
HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

change 262.51 reference to 262.70	262.10(b)		
change 262.51 reference to 262.70; insert "268"	262.10(d)		

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

SUBPART A - GENERAL

PURPOSE, SCOPE, APPLICABILITY

change 262.51 reference to 262.70	264.1(g)(4)		
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- (1) Technical corrections to §262.51 and §262.70 cited by this FR were previously addressed by Revision Checklist 39; thus, there is no need to address them in this checklist.

**RCRA REVISION CHECKLIST 48: Farmer Exemptions;
Technical Corrections (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

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

SUBPART A - GENERAL

PURPOSE, SCOPE, APPLICABILITY

change 262.51 reference to 262.70	265.1(c)(8)		
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE, APPLICABILITY

change 262.51 reference to 262.70	268.1(c)(5)		
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**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE
HAZARDOUS WASTE PERMIT PROGRAM**

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

change 262.51 reference to 262.70	270.1(c)(2)(ii)		
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RCRA REVISION CHECKLIST 49

Identification and Listing of Hazardous Waste;
 Treatability Studies Sample Exemption
 53 FR 27290-27302
 July 19, 1988
 (non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

Note: The standards addressed by 261.4(e) and (f) are less stringent than existing Federal requirements; thus, authorized states are not required to adopt them. EPA strongly encourages states, however, to do so to facilitate evaluating remediation alternatives for CERCLA clean-ups and the RCRA Corrective Action Program. This rule will also speed research and development for treatment alternatives to land disposal and waste minimization, recycling, and reuse.

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

+ add "treatability study"	260.10		
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

+ EXCLUSIONS

regulation of treatability study samples and relation to quantity determination of 261.5 and 262.34(d)	261.4(e)(1)		
collection and preparation of sample for transport	261.4(e)(1)(i)		
accumulation or storage of sample prior to transport	261.4(e)(1)(ii)		

**RCRA REVISION CHECKLIST 49: Identification and Listing of Hazardous
Waste; Treatability Studies Sample Exemption (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
transport of sample to laboratory or testing facility	261.4(e)(1) (iii)			
introductory paragraph regarding provisions for exemption under (e)(1)	261.4(e)(2)			
sample size limit by hazardous waste type for sample collector	261.4(e)(2) (i)			
weight limit for each sample shipment	261.4(e)(2) (ii)			
packaging require- ments for sample	261.4(e)(2) (iii)			
compliance with U.S. DOT, USPS or other for transport	261.4(e)(2) (iii)(A)			
information required if DOT, USPS, or other do not apply to shipment	261.4(e)(2) (iii)(B) (1)-(5)			
laboratory or testing facility requirements	261.4(e)(2)(iv)			
3 year maintenance of specified records	261.4(e)(2)(v)			
records which must be maintained	261.4(e)(2)(v) (A)-(C)			
biennial report requirements	261.4(e)(2)(vi)			
granting of requests for additional quantities; applica- tion procedure	261.4(e)(3)			
reason for request and additional quantity needed	261.4(e)(3)(i)			
required documentation	261.4(e)(3)(ii)			

**RCRA REVISION CHECKLIST 49: Identification and Listing of Hazardous
Waste; Treatability Studies Sample Exemption (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
description of technical modifications	261.4(e)(3) (iii)			
equipment and mechanical failure information	261.4(e)(3)(iv)			
other information	261.4(e)(3)(v)			
requirements for samples undergoing treatability studies at labs and testing facilities	261.4(f)			
notification requirements	261.4(f)(1)			
EPA identification number of laboratory or testing facility	261.4(f)(2)			
single day quantity restrictions on initiation of treatment studies	261.4(f)(3)			
limitations on storage of treatability study samples	261.4(f)(4)			
exclusion of treatability study residues	261.4(f)(4)(i)			
exclusion of added treatment materials	261.4(f)(4)(ii)			
90 days/1 year limitations on duration of exemption	261.4(f)(5)			
land placement and open burning of study samples not allowed	261.4(f)(6)			
3 year maintenance and storage of treatability study records	261.4(f)(7)			

**RCRA REVISION CHECKLIST 49: Identification and Listing of Hazardous
Waste; Treatability Studies Sample Exemption (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
list of specific information needed for each treatability study	261.4(f)(7) (i)-(vii)			
3 year maintenance of shipping records and treatability study contract	261.4(f)(8)			
Laboratory or treatability study facility annual report requirement	261.4(f)(9)			
required annual report information	261.4(f)(9) (i)-(vii)			
hazardous waste determination for unused samples by facility	261.4(f)(10)			
notification when facility discontinues treatability studies	261.4(f)(11)			

RCRA REVISION CHECKLIST 50

Land Disposal Restrictions for First Third

Scheduled Wastes

53 FR 31138-31222

August 17, 1988

as amended on February 27, 1989, 54 FR 8264
(HWA Cluster II)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

Note: The Federal Register addressed by this checklist is the third in a series of rules restricting the land disposal of hazardous waste. Previous related checklists include Revision Checklists 34 and 39. In addition, certain sections of this checklist were stayed administratively (see January 27, 1989, at 54 FR 4021) or have been modified as the result of litigation (see February 27, 1989, at 54 FR 8264). Modified sections are specifically noted below. This checklist may be modified in response to further litigation.

Certain sections or paragraphs of the land disposal restrictions are not delegable, specifically 268.5, 268.42(b) and 268.44. These continue to be nondelegable. With regard to 268.6, "no-migration" petitions, EPA will continue to handle these petitions at Headquarters though states may be authorized to grant these petitions in the future.

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

SUBPART B - GENERAL WASTE ANALYSIS

GENERAL WASTE ANALYSIS

clarify language and apply testing to soft hammer wastes in treatment surface impoundments	264.13(b)(7)(iii)		
apply to wastes that do not meet treatment standards	264.13(b)(7)(iii)(A)		
apply to wastes for which no treatment standards are established*	264.13(b)(7)(iii)(B)		
prohibited disposal of residues under 268.32 or 3004(d)	264.13(b)(7)(iii)(B)(1)		
prohibited disposal of residues under 268.33(f)	264.13(b)(7)(iii)(B)(2)		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

OPERATING RECORD 1/

remove "or" after 268.5; add clause on 268.8 certification; add "applicable" before "notice required"; change "268.7(a)(3)" to "268.7(a)"	264.73(b)(10)		
add "and the certification and demonstration, if applicable" and "or the owner or operator"; change "268.7(a)(1)" to "268.7 or 268.8"	264.73(b)(11)		
add 1) clause on certification/ demonstration, and 2) "or the owner or operator"; substitute "268.7 or 268.8" for "268.7(a)(1)"; change placement of "except the manifest number," excluding the word "for."	264.73(b)(12)		
add "and demonstration if applicable"; move reference to generator; replace "268.7(b)(1) and (2)" and "268.7(a)(2)" with "268.7 and 268.8, whichever is applicable"	264.73(b)(13)		

1/ In this section, the language is clarified and requirements are added to reflect soft hammer certification and retention of records and to apply to storage facilities.

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
change structure; add specific mention of "the generator" moving the place- ment of the refer- ence to "treater" and replacing it with "or owner or operator of a treatment facility"; replace "268.7(a)(2)" and "268.7(b)(1)" with "268.7"; add clause on certification/ demonstration referencing 268.8	264.73(b)(14)			
add new paragraph on off-site storage facility requirements	264.73(b)(15)			
add new paragraph on on-site storage facility requirements	264.73(b)(16)			

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

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

clarify language and apply testing to soft hammer wastes in treatment surface impoundments	265.13(b)(7) (iii)		
apply to wastes that do not meet treatment standards	265.13(b)(7) (iii)(A)		
apply to wastes for which no treatment standards are established	265.13(b)(7) (iii)(B)		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
prohibited disposal of residues under 268.32 or 3004(d)	264.13(b)(7) (iii)(B)(1)			
prohibited disposal of residues under 268.33(f)	265.13(b)(7) (iii)(B)(2)			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD 1/

after 268.5 replace 1) "or" with "monitoring data required pursuant to" and 2) "pursuant to" with "under"; insert clause on certification after "268.8"; add "applicable" before "notice"; replace "268.7(a)(3)" with "268.7(a)"	265.73(b)(8)		
add 1) "a copy of" before "the notice," 2) "and the certification and demonstration if applicable" after "the notice" and 3) "or the owner or operator" after "generator"; replace "268.7(a)(1)" with "268.7 or 268.8"	265.73(b)(9)		

1/ In this section, clarify language and add requirements to reflect soft hammer certification and retention of records and to apply to storage facilities.

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
add 1) clause on certification/ demonstration, after "notice" and 2) "or the owner or operator" after "generator"; move manifest number clause; substitute "268.7 or 268.8" for "268.7(a)(1)"	265.73(b)(10)			
add 1) "a copy of" before "notice" and 2) "and demon- stration if applicable" after "certification"; restructure para- graph and move reference to generator; replace "268.7(b)" and "268.7(a)(2)" with "268.7 or 268.8"	265.73(b)(11)			
restructure para- graph moving clause on manifest number and placement of "treatment facility"; add 1) "owner or operator of a" before "treatment facility" and 2) "and the certifica- tion and demonstra- tion if applicable" before "required"; replace "268.7(a)(2)" and "268.7(b)(2)" with "268.7 or 268.8";	265.73(b)(12)			
add new paragraph on requirements for off-site storage facilities	265.73(b)(13)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
add new paragraph on requirements for on-site storage facilities	265.74(b)(14)			

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

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

Add language to reflect that products for general public's use are not subject to regulation if they meet treatment requirements of 268 Subpart D or prohibition levels of 268.32 or 3004(d) where no treatment standards; zinc-containing fertilizers using K061 not subject to this requirement	266.20(b)		
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY 1/

remove old 268.1(c)(3); redesignate 268.1(c)(4) as 268.1(c)(3)	268.1(c)(3)		
redesignate old 268.1(c)(5) as 268.1(c)(4) and revise	268.1(c)(4)		

1/ Revise this section to reflect soft hammer wastes.

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes. (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
add new 268.1(c)(5)--landfills/surface impoundments, in compliance with 268.8 with respect to wastes not subject to specific treatment standards or prohibitions	268.1(c)(5)			
add new paragraph preserving waiver availability under 121(d)(4)	268.1(d)			
TREATMENT SURFACE IMPOUNDMENT EXEMPTION				
clarify language and revise to apply to soft hammer wastes to treatment surface impoundments that meet a list of conditions:	268.4(a)(2)			
sampling and testing requirements for wastes with and without treatment standards; supernatant and sludge samples tested separately	268.4(a)(2)(i)			
annual removal of specific residues; residues subject to valid certification; flow-through standard of removal for supernatant	268.4(a)(2)(ii)			
requirements for subsequent management of treatment residues in another impoundment prohibited unless certification under 268.8 and standards of 268.8(a) are met	268.4(a)(2)(iii)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
recordkeeping requirements must be specified in the facility's waste analysis plan	268.4(a)(2)(iv)			
PROCEDURES FOR CASE-BY-CASE EXTENSIONS TO AN EFFECTIVE DATE				
revise applicability from facility-wide to landfill and surface impoundment; unit must meet minimum technology requirements and apply to soft hammer wastes	268.5(h)(2)			
WASTE ANALYSIS AND RECORDKEEPING 1/				
clarify language and provide exception to section 268.43 testing requirements	268.7(a)			
remove the clause after "treatment standards" which ends with "exceeds" and insert "set forth in Subpart D of this part or exceeds"; insert "or storage" after "treatment"; remove "of this part" after "268.32" and "section" before "3004(d)"	268.7(a)(1)			

- 1/ In this section, apply testing and recordkeeping analyses to First Third wastes and storage facilities and add notification requirements for soft hammer wastes.

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
insert "treatment, storage, or" before "land disposal facility"; insert "levels" after "prohibition"; remove "of this part" after 268.32 and "section" before "3004(d)"	268.7(a)(2)			
remove "an extension under §268.1(c)(3)"; insert "with each shipment of waste" after "Subpart C"; replace "forward" with "submit"; remove "with the waste" and "land disposal"; add new notice requirements for facility receiving the waste	268.7(a)(3)			
EPA hazardous waste number	268.7(a)(3)(i)			
treatment standards and applicable 268.32 or 3004(d) prohibition	268.7(a)(3)(ii)			
manifest number of shipment	268.7(a)(3)(iii)			
waste analysis data	268.7(a)(3)(iv)			
date waste is subject to prohibition	268.7(a)(3)(v)			
redesignate old 268.7(a)(4) as 268.7(a)(5); add new paragraph 268.7(a)(4) requires generator notification for 268.33(f) only prohibited wastes	268.7(a)(4)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
EPA hazardous waste number applicable	268.7(a)(4)(i)			
268.33(f) prohibitions	268.7(a)(4)(ii)			
manifest number of shipment	268.7(a)(4)(iii)			
waste analysis data	268.7(a)(4)(iv)			
add new requirement for retention of waste analysis data on-site in files	268.7(a)(5)			
add five-year retention period for notices, certifications, demonstrations, etc. produced relative to 268.7; extensions during enforcement actions	268.7(a)(6)			
clarify language and applicability of testing requirements	268.7(b)			
redesignate old 268.7(b)(1) as 268.7(b)(4); add new paragraph 268.7(b)(1) derived from old 268.7(b) on testing when standards are expressed as concentrations in waste extract	268.7(b)(1)			
redesignate old 268.7(b)(2) as 268.7(b)(5); add new paragraph 268.7(b)(2) derived in part from old 268.7(b) on testing of 268.32 or 3004(d) prohibited wastes not subject to Subpart D treatment standards	268.7(b)(2)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
add new paragraph on testing for wastes with treatment standards expressed as concentrations in waste	268.7(b)(3)			
old 268.7(b)(1) redesignated as 268.7(b)(4)	268.7(b)(4)			
old 268.7(b)(2) redesignated as 268.7(b)(5)	268.7(b)(5)			
add new paragraph for compliance with generator notice/certification requirements if waste sent offsite	268.7(b)(6)			
notification with each shipment for waste subject to 268.33(f), but not subject to 268.32	268.7(b)(7)			
EPA hazardous waste number	268.7(b)(7)(i)			
applicable 268.33(f) prohibitions	268.7(b)(7)(ii)			
manifest number of waste shipment	268.7(b)(7)(iii)			
waste analysis data	268.7(b)(7)(iv)			
no 268.7(b)(4) notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste derived products	268.7(b)(8)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
clarify language	268.7(c)			
have copies of notice under 268.7(a) or (b) and certifications in 268.8 if applicable	268.7(c)(1)			
retain rest of old 268.7(c), starting with "test the waste," and designate as 268.7(c)(2)	268.7(c)(2)			
waste subject to 268.33(f) prohibitions, but not 268.32 prohibitions or subject to certification prior to disposal in landfill or surface impoundment unit and disposal is in accordance with 268.5(h)(2); same for wastes subject to 268.33(f) and 3004(d) prohibitions or codified 268.32 prohibitions	268.7(c)(3)			
LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS				
disposal of 268.33(f) prohibited wastes in landfills or surface impoundments in compliance with 268.5(h)(2) if requirements of 268.8 are met	268.8(a)			
good faith generator effort to contract with treatment and recovery facilities providing greatest environmental benefit	268.8(a)(1)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
demonstration and certification submitted to Regional Administrator that 268.8(a)(1) requirements have been met	268.8(a)(2)			
explanation and certification when no practically available treatment can be found	268.8(a)(2)(i)			
contracting and certification when practically available treatments are found	268.8(a)(2)(ii)			
copy of demonstration and certification sent to receiving facilities for shipments of waste with no practically available treatment; certification only for subsequent shipments; generator record-keeping and five year retention	268.8(a)(3)			
generator copy of demonstration and certification sent to receiving facilities for shipments of wastes with practically available treatment; certification only for subsequent shipments; generator record-keeping and five year retention	268.8(a)(4)			
additional information for certification if requested by Regional Administrator	268.8(b)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
notification when change in conditions forming basis of certification	268.8(b)(1)			
invalidation when Regional Administra- tor finds practically available treatment method or a method yielding greater environmental benefit than certified	268.8(b)(2)			
when certification is invalidated, generator must cease shipment, communi- cate with facilities receiving waste, and keep records of communication	268.8(b)(3)			
receiving treatment, recovery or storage facilities keep copy of generator's demonstration and certification	268.8(c)			
receiving treatment, storage or recovery facility certify waste treated according to generators' demonstration	268.8(c)(1)			
receiving treatment, recovery or storage facility must send generator demonstra- tion/certification and 268.8(c)(1) certification to facility receiving waste or treatment residues	268.8(c)(2)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
1/ disposal facility must assure certification prior to disposal in landfill or surface impoundment unit and units in accordance with 268.5(h)(2) for wastes prohibited under 268.33(f)	268.8(d)			
wastes may be disposed in landfill or surface impoundment meeting 268.5(h)(2) if certified and treated	268.8(e)			

IDENTIFICATION OF WASTES TO BE EVALUATED BY MAY 8, 1990

redesignate existing text as 268.12(a)	268.12(a)		
treatment standards for wastewater residues resulting from specified treatment methods for wastes listed in 268.10 for which there are no promulgated waste water treatment standards	268.12(b)		

1/ Note that 268.8(d) has a typographical error. The reference to 263.33(f) should be 268.33(f).

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
<u>1/</u> treatment standards for leachate derived from treatment, storage or disposal of wastes listed in 268.10 for which there are no promulgated waste-water treatment standards, and contaminated groundwater that contain such wastes	268.12(c)			
treatment standards for 268.10 wastes which are radioactive mixed wastes	268.12(d)			
<u>2/</u> Listed waste derived multi source leachate, except F020, F021, F022, F023, F026, F027 or F028	268.12(e)			

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

3/ WASTE SPECIFIC PROHIBITIONS - SOLVENT WASTES

- 1/ Treatment standards for all multi-source leachate (excluding specified dioxin containing waste leachates but including solvent containing waste leachates) have been rescheduled to the Third Third pursuant to the settlement agreement. See February 27, 1989, 54 FR 8264.
- 2/ See the change to the Land Disposal Restrictions at 54 FR 8264 (February 27, 1989).
- 3/ Note that while 268.30(a)(introduction), 268.30(a)(1), and 268.30(a)(4) appear in the FR addressed by this checklist, they have not been changed by this FR. As such, 268.30(a)(1) and 268.30(a)(4) were not included in this checklist. An entry for the 268.30(a) introduction was included, however, to help clarify the modifications to 268.30(a).

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
repromulgate requirement to treat to applicable standard unless restricted solvent falls into treatability group for which EPA has determined no capacity exists	268.30(a)			
remove final clause starting with "not subject to..." and ending with "November 8, 1988"	268.30(a)(2)			
change hyphenation; add "; or" at end of paragraph	268.30(a)(3)			
change first "(2), and (3)" to "(2), (3), and (4)"; remove second sentence concerning disposal in landfills prior to November 8, 1988	268.30(b)			
redesignate old 268.30(c) as 268.30(d); add new paragraph 268.30(c) prohibiting after Nov. 8, 1990 land disposal of F001-F005 solvent waste contaminated soil and debris (and their treatment residues) resulting from CERCLA action or RCRA corrective action; permitting disposal in landfill or surface impoundment unit in compliance with 268.5(h)(2) prior to Nov. 8, 1990	268.30(c)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
old 268.30(c) is new 268.30(d); revise "(a) and (b)" to read "(a), (b), and (c)"; 268.30(d)(1)-(3) are the same as the old 268.30(c)(1)-(3) except in (3) add "and units" after "wastes"	268.30(d)			

1/ WASTE SPECIFIC PROHIBITIONS--DIOXIN-CONTAINING WASTES

add phrase "unless the following condition applies:"	268.31(a)			
contaminated soil and debris waste resulting from response action under CERCLA or from a RCRA corrective action	268.31(a)(1)			
redesignate old 268.31(b) as 268.31(d); new paragraph 268.31(b) prohibiting land disposal of F020-F023 & F026-F028 dioxin-containing wastes after Nov. 8, 1990	268.31(b)			
change years to "1988" and "1990," respectively; insert "(1)" after "(a)"; replace "the facility" with "such unit"	268.31(c)			

- 1/ For this section, revise applicability from facility-wide to unit and reschedule CERCLA and RCRA corrective action soil and debris dioxin-containing wastes prohibition from land disposal.**

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
old 268.31(b) is new 268.31(d); in introductory sentence insert "and (b)" after "(a)"; 268.31(d)(1)-(3) are the same as old 268.31(b)(1)-(3) except in (3) change "extension from" to "extension to"	268.31(d)			

WASTE SPECIFIC PROHIBITIONS - CALIFORNIA LIST WASTES

revise variance dates to reflect that the requirements of (a) and (e) do not apply until:	268.32(d)			
revise language and change date to July 8, 1989; insert "not" before "resulting from a response..."; insert "(CERCLA)" after "Liability Act"; add sentence about disposal between July 8, 1987 and July 8, 1989 permitted in landfill or surface impoundment in compliance with 268.5(h)(2)	268.32(d)(1)			
change date to November 8, 1990, wastes from a CERCLA action or RCRA corrective action; disposal between November 8, 1988 and November 8, 1990 permitted in landfill or surface impoundment in compliance with 268.5(h)(2)	268.32(d)(2)			

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
1/ change date to November 8, 1988	268.32(e)			
add clause on not including wastes described in 268.32(d)	268.32(e)(2)			
change "July 8, 1989" to "November 8, 1988"; replace "described" with "included" and "the facility" with "such disposal"	268.32(f)			
insert ",(d)," after "(a)"	268.32(g)			
insert ",(d)," after "(a)(3)"	268.32(h)			
WASTE SPECIFIC PROHIBITIONS - FIRST THIRD WASTES				
specific wastes prohibited from land disposal effective August 8, 1988	268.33(a)			
land disposal prohibition of K061 waste containing 15% or greater of zinc pursuant to 268.41 treatment standard for K061 containing less than 15% zinc	268.33(a)(1)			
wastes--K048, K049, K050, K051, K052, K061 (cont. 5% or greater zinc), K071--prohibited from land disposal effective August 8, 1990	268.33(b)			

1/ Note that the FR addressed by this checklist did not change 268.32(e)(1) even though it appears in the FR. Consequently, 268.32(e)(1) was not included in this checklist.

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
effective August 8, 1990, land disposal prohibition of wastes specified in 268.10 having a treatment standard in 268, based on incineration and which are contaminated soil and debris, Subpart D	268.33(c)			
between Nov. 8, 1988 and Aug. 8, 1990, landfill or surface impoundment disposal permitted if in compliance with 268.5(h)(2) of wastes included under 268(b) & (c)	268.33(d)			
requirements of 268(a)-(d) do not apply when:	268.33(e)			
waste meets applicable 268, Subpart D standards	268.33(e)(1)			
granted an exemption from prohibition for wastes and units under 268.6	268.33(e)(2)			
granted an extension to an effective date for wastes under 268.5	268.33(e)(3)			
prohibition of landfill or surface impoundment disposal of wastes specified in 268.10 for which treatment standards do not apply (other than 268.32 or section 3004(d) prohibitions) unless 268.8 demonstration and certification	268.33(f)			

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
for a waste listed in 268.10, initial generator testing to determine exceedance of 268.41 & 268.43 treatment standards and prohibition from land disposal if exceed standards	268.33(g)			

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

replace "this subpart" with "\$268.41"; remove "without further treatment"	268.40(a)		
land disposal of a restricted waste identified in 268.43 only if below listed constituent concentrations	268.40(c)		

TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT

in Table CCWE, remove entry specified below; add subtables to Table CCWE in numerical order as specified below	268.41(a)		
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Delete the following entry:

	Concentration (in mg/l)	
	Wastewaters containing spent solvents	All other spent solvent wastes
F001-F005 spent solvents		
Methylene chloride (from the pharmaceutical industry.....)	12.7	.96

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

Add the following subtables to Table CCWE in numerical order by EPA Hazardous Waste Number:

**TABLE CCWE—CONSTITUTENT
CONCENTRATIONS IN WASTE EXTRACT**

F006 nonwastewaters (see also Table CCW in § 268.43)	Concentration (in mg/l)
Cadmium.....	0.066
Chromium (Total).....	5.2
Lead.....	.51
Nickel.....	.32
Silver.....	.072
Cyanides (Total).....	Reserved

K001 nonwastewaters (see also Table in § 268.43)	Concentration (in mg/l)
Lead.....	0.51

K022 nonwastewaters (see also Table CCW in § 268.43)	Concentration (in mg/l)
Chromium (Total).....	5.2
Nickel.....	0.32

K046 nonwastewaters (Nonreactive Subcategory)	Concentration (in mg/l)
Lead.....	0.18

K048, K049, K050, K051 and K052 nonwastewaters (see also Table CCW in § 268.43)	Concentration (in mg/l)
Arsenic.....	0.004
Chromium (Total).....	1.7
Nickel.....	.048
Selenium.....	.025

K061 nonwastewaters (Low Zinc Subcategory—less than 15% total zinc)	Concentration (in mg/l)
Cadmium.....	0.14
Chromium (Total).....	5.2
Lead.....	.24
Nickel.....	.32

K061 nonwastewaters (High Zinc Subcategory—15% or greater total zinc; effective until 6/6/90)	Concentration (in mg/l)
Cadmium.....	0.14
Chromium (Total).....	5.2
Lead.....	.24
Nickel.....	.32

K066 nonwastewaters	Concentration (in mg/l)
Chromium (Total).....	0.084
Lead.....	.37

K071 nonwastewaters	Concentration (in mg/l)
Mercury.....	0.025

K066 nonwastewaters (Solvent Washes Subcategory) see also Table CCW in § 268.43)	Concentration (in mg/l)
Chromium (Total).....	0.084
Lead.....	.37

K067 nonwastewaters (see also Table CCW in § 268.43)	Concentration (in mg/l)
Lead.....	0.51

K101 and K102 nonwastewaters (Low Arsenic Subcategory—less than 1% Total Arsenic) (see also Table CCW in § 268.43)	Concentration (in mg/l)
Cadmium.....	0.066
Chromium (Total).....	5.2
Lead.....	.51
Nickel.....	.32

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

add ability to incinerate in boilers and industrial furnaces after "265, Subpart 0"	268.42(a)(2)		
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TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS

introductory paragraph for Table CCW explaining table:	268.43(a)		
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Add new Table CCW as shown below. Subtables are arranged in numerical order by EPA Hazardous Waste Number. Additionally there is a listing after the subtables of "K" wastes which are prohibited from land disposal.

**TABLE CCW—CONSTITUENT
CONCENTRATIONS IN WASTES**

F001, F002, F003, F004 and F005 wastewaters (Pharmaceutical Industry)	Concentra- tion (in mg/ l)
Methylene chloride	0.44
F006 nonwastewaters (see also Table CCWE in § 268.41)	Concentra- tion (in mg/ kg)
Cyanides (Total)	Reserved
K001 nonwastewaters (see also Table CCWE in § 268.41)	Concentra- tion (in mg/ kg)
Naphthalene	8.0
Pentachlorophenol	37
Phenanthrene	8.0
Pyrene	7.3
Toluene	.14
Xylenes	.18
K001 wastewaters	Concentra- tion (in mg/ l)
Naphthalene	0.15
Pentachlorophenol	.88
Phenanthrene	.18
Pyrene	.14
Toluene	.14
Xylenes	.18
Lead	.037

K016 wastewaters	Concentra- tion (in mg/ l)
Anthracene	1.0
Benzal chloride	.28
Benzal (b and/or k) fluoranthene	.29
Phenanthrene	.27
Toluene	.16
Chromium (Total)	.32
Nickel	.44

K016 nonwastewaters	Concentra- tion (in mg/ kg)
Hexachlorobenzene	28
Hexachlorobutadiene	5.6
Hexachlorocyclopentadiene	5.6
Hexachloroethane	28
Tetrachloroethane	6.0

K016 wastewaters	Concentra- tion (in mg/ l)
Hexachlorobenzene	0.033
Hexachlorobutadiene	.007
Hexachlorocyclopentadiene	.007
Hexachloroethane	.033
Tetrachloroethane	.007

K016 nonwastewaters	Concentra- tion (in mg/ kg)
Chloroethane	6.0
1,1-Dichloroethane	6.0
1,2-Dichloroethane	6.0
Hexachlorobenzene	28
Hexachlorobutadiene	5.6
Hexachloroethane	28
Pentachloroethane	5.6
1,1,1-Trichloroethane	6.0

K016 wastewaters	Concentra- tion (in mg/ l)
Chloroethane	0.007
Chloromethane	.007
1,1-Dichloroethane	.007
1,2-Dichloroethane	.007
Hexachlorobenzene	.033
Hexachlorobutadiene	.007
Pentachloroethane	.007
1,1,1-Trichloroethane	.007

K019 nonwastewaters	Concentra- tion (in mg/ kg)
Bis(2-chloroethyl)ether	5.6
Chlorobenzene	6.0
Chloroform	6.0
1,2-Dichloroethane	6.0
Hexachloroethane	28
Naphthalene	5.6
Phenanthrene	5.6
Tetrachloroethane	6.0
1,2,4-Trichlorobenzene	18
1,1,1-Trichloroethane	6.0

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for First Third Scheduled Wastes (Cont'd)

FEDERAL REQUIREMENT		RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN	
			STATUTE	REGULATION		
K019 wastewaters	Concentration (in mg/l)		K030 nonwastewaters	Concentration (in mg/kg)	K048 wastewaters	Concentration (in mg/l)
Bis(2-chloroethyl)ether	0.007		Hexachlorobutadiene	5.6	Benzene	0.011
Chlorobenzene	.008		Hexachloroethane	28	Benzo(a)pyrene	.047
Chloroform	.007		Hexachloropropene	19	Bis(2-ethylhexyl)phthalate	.043
p-Dichlorobenzene	.008		Pentachlorobenzene	28	Chrysene	.043
1,2-Dichloroethane	.007		Pentachloroethane	5.6	Di-n-butyl phthalate	.080
Fluorene	.007		1,2,4,5-Tetrachlorobenzene	14	Ethylbenzene	.011
Hexachloroethane	.033		Tetrachloroethane	6.0	Fluorene	.050
Naphthalene	.007		1,2,4-Trichlorobenzene	19	Naphthalene	.033
Phenanthrene	.007				Phenanthrene	.039
1,2,4,5-Tetrachlorobenzene	.017				Phenol	.047
Tetrachloroethane	.007				Pyrene	.045
1,2,4-Trichlorobenzene	.023				Toluene	.011
1,1,1-Trichloroethane	.007				Xylenes	.011
					Chromium (Total)	.20
					Lead	0.37
K020 nonwastewaters	Concentration (in mg/kg)		K030 wastewaters	Concentration (in mg/l)	K048 nonwastewaters (see also Table CCWE in § 268.41)	Concentration (in mg/kg)
1,2-Dichloroethane	6.0		o-Dichlorobenzene	0.008	Anthracene	6.2
1,1,2,2-Tetrachloroethane	5.6		p-Dichlorobenzene	.008	Benzene	9.5
			Hexachlorobutadiene	.007	Benzo(a)pyrene	0.84
			Hexachloroethane	.033	Bis(2-ethylhexyl)phthalate	37
			Pentachloroethane	.007	Chrysene	2.2
			1,2,4,5-Tetrachlorobenzene	.017	Ethylbenzene	67
			Tetrachloroethane	.007	Naphthalene	[Reserved]
			1,2,4-Trichlorobenzene	.023	Phenanthrene	7.7
					Phenol	2.7
					Pyrene	2.0
					Toluene	9.5
					Xylenes	[Reserved]
					Cyanides (Total)	1.8
K020 nonwastewaters	Concentration (in mg/kg)		K037 nonwastewaters	Concentration (in mg/kg)	K048 wastewaters	Concentration (in mg/l)
Tetrachloroethane	6.0		Disulfoton	0.1	Anthracene	0.038
			Toluene	28	Benzene	.011
					Benzo(a)pyrene	.047
					Bis(2-ethylhexyl)phthalate	.043
					Carbon disulfide	.011
					Chrysene	.043
					2,4-Dimethylphenol	.033
					Ethylbenzene	.011
					Naphthalene	.033
					Phenanthrene	.039

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)

FEDERAL REQUIREMENT		RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
			STATUTE	REGULATION	
K050 nonwastewaters (see also Table CCWE in § 268.41)		Concentration (in mg/kg)	K052 nonwastewaters (see also Table CCWE in § 268.41)		Concentration (in mg/kg)
Benzo(a)pyrene.....		0.84	Benzene.....		9.5
Phenol.....		2.7	Benzo(a)pyrene.....		0.84
Cyanides (Total).....		1.8	o-Cresol.....		2.2
			p-Cresol.....		0.90
			Ethylbenzene.....		67
			Naphthalene.....		[Reserved]
			Phenanthrene.....		7.7
			Phenol.....		2.7
			Toluene.....		9.5
			Xylenes.....		[Reserved]
			Cyanides (Total).....		1.8
K050 wastewaters		Concentration (in mg/l)	K052 wastewaters		Concentration (in mg/l)
Benzo(a)pyrene.....		0.047	Benzene.....		0.011
Phenol.....		.047	Benzo(a)pyrene.....		.047
Chromium (Total).....		.20	o-Cresol.....		.011
Lead.....		.037	p-Cresol.....		.011
			2,4-Dimethylphenol.....		.033
			Ethylbenzene.....		.011
			Naphthalene.....		.033
			Phenanthrene.....		.039
			Phenol.....		.047
			Toluene.....		.011
			Xylenes.....		.011
			Chromium (Total).....		.20
			Lead.....		.037
K051 nonwastewaters (see also Table CCWE in § 268.41)		Concentration (in mg/kg)	K082 wastewaters		Concentration (in mg/l)
Anthracene.....		8.2	Chromium (Total).....		0.52
Benzene.....		9.5	Lead.....		.04
Benzo(a)anthracene.....		1.4	Nickel.....		.44
Benzo(a)pyrene.....		.84			
Bis(2-ethylhexyl)phthalate.....		.37			
Chrysene.....		2.2			
Di-n-butyl phthalate.....		4.2			
Ethylbenzene.....		67			
Naphthalene.....		[Reserved]			
Phenanthrene.....		7.7			
Phenol.....		2.7			
Pyrene.....		2.0			
Toluene.....		9.5			
Xylenes.....		[Reserved]			
Cyanides (Total).....		1.8			
K051 wastewaters		Concentration (in mg/l)	K071 wastewaters		Concentration (in mg/l)
Acenaphthene.....		0.050	Mercury.....		0.029
Anthracene.....		.039			
Benzene.....		.011			
Benzo(a)anthracene.....		.043			
Benzo(a)pyrene.....		.047			
Bis(2-ethylhexyl) phthalate.....		.043	K086 nonwastewaters—Solvent Washes Subcategory (see also Table CCWE in § 268.41)		Concentration (in mg/kg)
Chrysene.....		.043	Acetone.....		0.37
Di-n-butyl phthalate.....		.080	bis(2-ethylhexyl) phthalate.....		.49
Ethylbenzene.....		.011	n-Butyl alcohol.....		.37
Fluorene.....		.059	Cyclohexanone.....		.46
Naphthalene.....		.039	1,2-Dichlorobenzene.....		.46
Phenanthrene.....		.039	Ethyl acetate.....		.37
Phenol.....		.047	Ethyl benzene.....		.89*
Pyrene.....		.048	Methanol.....		.37
Toluene.....		.011	Methylene chloride.....		.89*
Xylenes.....		.011	Methyl ethyl ketone.....		.37
Chromium (Total).....		.20	Methyl isobutyl ketone.....		.37
Lead.....		.037	Naphthalene.....		.46
			Nitrobenzene.....		.46
			Toluene.....		.024
			1,1,1-Trichloroethane.....		.044
			Trichloroethylene.....		.039
			Xylenes.....		.015

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for First Third Scheduled Wastes (Cont'd)

FEDERAL REQUIREMENT		RCRA CITE		STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN	
				STATUTE	REGULATION		
K099 wastewaters		Concentration (in mg/l)		K103 nonwastewaters		Concentration (in mg/kg)	
2,4-Dichlorophenoxyacetic acid.....		1.0		Aniline.....		5.6	
Hexachlorodibenzo-p-dioxins.....		.001		Benzene.....		6.0	
Hexachlorodibenzofurans.....		.001		2,4-Dinitrophenol.....		5.6	
Pentachlorodibenzo-p-dioxins.....		.001		Nitrobenzene.....		5.6	
Pentachlorodibenzofurans.....		.001		Phenol.....		5.6	
Tetrachlorodibenzo-p-dioxins.....		.001					
Tetrachlorodibenzofurans.....		.001					
K101 nonwastewaters (Low Arsenic Subcategory—less than 1% total arsenic) (see also Table CCWE in § 268.41)		Concentration (in mg/kg)		K103 wastewaters		Concentration (in mg/l)	
Ortho-Nitroaniline.....		14		Aniline.....		4.5	
				Benzene.....		.15	
				2,4-Dinitrophenol.....		.61	
				Nitrobenzene.....		.07	
				Phenol.....		1.4	
K101 wastewaters		Concentration (in mg/l)		K104 nonwastewaters		Concentration (in mg/kg)	
Ortho-Nitroaniline.....		0.27		Aniline.....		5.6	
Arsenic.....		2.0		Benzene.....		6.0	
Cadmium.....		.24		2,4-Dinitrophenol.....		5.6	
Lead.....		.11		Nitrobenzene.....		5.6	
Mercury.....		.027		Phenol.....		5.6	
				Cyanides (Total).....		1.8	
K102 nonwastewaters (Low Arsenic Subcategory—less than 1% total arsenic) (see also Table CCWE in § 268.41)		Concentration (in mg/kg)		K104 wastewaters		Concentration (in mg/l)	
Ortho Nitrophenol.....		13		Aniline.....		4.5	
				Benzene.....		.15	
				2,4-Dinitrophenol.....		.61	
K102 wastewaters		Concentration (in mg/l)					
Ortho-Nitrophenol.....		0.028					
Arsenic.....		2.0					
Cadmium.....		.24					
Lead.....		.11					
Mercury.....		.027					
treatment standard for combinations of wastes with different treatment standards, must meet lowest standard		268.43(b)					

No Land Disposal for:

- 1/ K004 Nonwastewaters [Based on No Generation]
- 1/ K008 Nonwastewaters [Based on No Generation]
- 2/ K015 Nonwastewaters [Based on No Ash] 3d 3d
- 1/ K021 Nonwastewaters [Based on No Generation]
- 1/ K025 Nonwastewaters [Based on No Generation]
- 1/ K036 Nonwastewaters [Based on No Generation]
- K044 [Based on Reactivity]
- K045 [Based on Reactivity]
- K047 [Based on Reactivity]
- 1/ K060 Nonwastewaters [Based on No Generation]
- 1/ K061 Nonwastewaters—High Zinc Subcategory (greater than or equal to 15% total zinc) [Based on Recycling]: effective 8/8/90
- 1/ K069 Nonwastewaters—Non-Calcium Sulfate Subcategory [Based on Recycling]
- 2/ K063 Nonwastewaters—No Ash Subcategory (less than 0.01% total ash) [Based on No Ash] 3d 3d
- 1/ K100 Nonwastewaters [Based on No Generation]

No Land Disposal for:

- 1/ K004 Nonwastewaters [Based on No Generation]
- 1/ K008 Nonwastewaters [Based on No Generation]
- 2/ K015 Nonwastewaters [Based on No Ash] 3d 3d
- 1/ K021 Nonwastewaters [Based on No Generation]
- 1/ K025 Nonwastewaters [Based on No Generation]
- 1/ K036 Nonwastewaters [Based on No Generation]
- K044 [Based on Reactivity]
- K045 [Based on Reactivity]
- K047 [Based on Reactivity]
- 1/ K060 Nonwastewaters [Based on No Generation]
- 1/ K061 Nonwastewaters—High Zinc Subcategory (greater than or equal to 15% total zinc) [Based on Recycling]: effective 8/8/90
- 1/ K069 Nonwastewaters—Non-Calcium Sulfate Subcategory [Based on Recycling]
- 2/ K083 Nonwastewaters—No Ash Subcategory (less than 0.01% total ash) [Based on No Ash] 3d 3d
- 1/ K100 Nonwastewaters [Based on No Generation]

1/ These prohibitions will be modified to apply only to wastes generated and disposed after 8/17/88. A final rule addressing this is forthcoming.

2/ Rescheduled to 3rd 3rd--a final rule is forthcoming.

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITIONS ON STORAGE OF RESTRICTED WASTES

add to end of para- graph "or a valid certification under 268.8"	268.50(d)		
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Revision Checklist 51 will be completed
after the litigation surrounding the
September 1, 1988 (53 FR 33938) final rule
has been resolved.

RCRA REVISION CHECKLIST 52

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

53 FR 34079-34087

September 2, 1988

(HSWA Cluster II and non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

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

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM; GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

* revise "Elementary neutralization unit"	260.10		
* revise "Wastewater treatment unit"	260.10		

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

SUBPART G - CLOSURE AND POST-CLOSURE

DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS

1/ add "264.197" reference	264.114		
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SUBPART J - TANK SYSTEMS

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

**RCRA REVISION CHECKLIST 52: Hazardous Waste Management System; Standards
for Hazardous Waste Storage and Treatment Tank Systems (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

† APPLICABILITY

* replace "Tanks" with "Tank systems"	264.190(a)			
* replace "Tanks" with "Tank systems"; replace "§264.193 of this subpart" with "§264.193(a)"	264.190(b)			

CONTAINMENT AND DETECTION OF RELEASES

* add "and sealless valves"	264.193(f)(3)			
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RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE TANK SYSTEMS

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

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

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

add "265.197" reference	265.114			
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SUBPART J - TANK SYSTEMS

† APPLICABILITY

* replace "Tanks... containing no" with "Tank systems... which contain no"	265.190(a)			
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**RCRA REVISION CHECKLIST 52: Hazardous Waste Management System; Standards
for Hazardous Waste Storage and Treatment Tank Systems (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
* replace "Tanks" with "Tank systems; replace "§265.193" with "§265.193(a)"	265.190(b)			

+ CONTAINMENT AND DETECTION OF RELEASES

* add "and sealless valves"	265.193(f)(3)			
* replace "264.197(b)" reference with "265.197(b)"	265.193(g)(3) (iii)			

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

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

replace reference "265.192(c)" with "265.201(b)(3)"	265.201(c)(3)			
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**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS
WASTE PERMIT PROGRAM**

SUBPART A - GENERAL INFORMATION

DEFINITIONS

revise "Elementary neutralization unit"	270.2			
revise "Wastewater treatment unit"	270.2			

* HSWA-related regulations

RCRA REVISION CHECKLIST 53

Identification and Listing of Hazardous Waste; and
Designation, Reportable Quantities, and Notification
53 FR 35412-35421
September 13, 1988
(non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM SPECIFIC SOURCES

add after entries for
"Iron and steel" and
before entries for
"Secondary lead,"
the following:

261.32

Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
*	*	*
Primary copper: K064.....	Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production	(T)
Primary lead: K065.....	Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities	(T)
Primary zinc: K066.....	Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production	(T)
Primary aluminum: K088.....	Spent potliners from primary aluminum reduction	(T)
Ferroalloys:		
K090.....	Emission control dust or sludge from ferrochromiumsilicon production	(T)
K091.....	Emission control dust or sludge from ferrochromium production	(T)
*	*	*

RCRA REVISION CHECKLIST 53: Identification and Listing
of Hazardous Waste; and Designation, Reportable
Quantities, and Notification (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add the following in
the appropriate
numerical sequence:

Appendix VII

EPA hazardous
waste number

Hazardous constituents for
which listed

* * * * *

K064.....Lead, cadmium.
K065.....Do.
K066.....Do.
K088.....Cyanide (complexes).
K090.....Chromium.
K091.....Do.

* * * * *

RCRA REVISION CHECKLIST 54

Permit Modifications for Hazardous Waste Management Facilities
 53 FR 37912-37942
 September 28, 1988
 as amended on October 24, 1988, 53 FR 41649
 (non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

Note: The standards addressed by this checklist are less stringent than existing Federal requirements; thus, authorized states are not required to adopt them. EPA strongly encourages states, however, to adopt this permit modification rule as promulgated. If preferred, states may amend their programs to incorporate only selected portions of the rule. See 53 FR 37933-37934 for a discussion of this option.

PART 124 - PROCEDURES FOR DECISIONMAKING

SUBPART A - GENERAL PROGRAM REQUIREMENTS

+ MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF PERMITS

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

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

SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES

+ AMENDMENT OF CONTINGENCY PLAN

remove the comment	264.54		
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SUBPART G - CLOSURE AND POST-CLOSURE

+ CLOSURE PLAN; AMENDMENT OF PLAN

add wording on "notification" and "review" to text	264.112(c)		
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**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
insert "notification or" prior to "request"	264.112(c)(1)			
insert "notification of or" prior to "request"	264.112(c)(2)			

† POST-CLOSURE PLAN; AMENDMENT OF PLAN

add wording on "notification" and "review" to text	264.118(d)			
insert "notification or" prior to "request"	264.118(d)(1)			
insert "notification of or" prior to "request"	264.118(d)(2)			

**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

revise last sentence of paragraph by deleting "major" and inserting "Class 2 or 3" preceding "modifi- cation" and delete reference to "§270.41."	265.112(c)(3)			
revise last sentence of paragraph by deleting "major" and inserting "Class 2 or 3" preceding "modifi- cation" and delete reference to "§270.41."	265.112(c)(4)			
replace "major modification" with "Class 2 or 3 modification" and delete reference to "§270.41"	265.118(d)(3)			

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
replace "major modification" with "Class 2 or 3 modification" and delete reference "§270.41."	265.118(d)(4)			

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

SUBPART A - GENERAL INFORMATION

† DEFINITIONS

add "Component"	270.2		
add "Facility mailing list"	270.2		
add "Functionally equivalent component"	270.2		
† EFFECT OF A PERMIT modification under 270.42	270.4(a)		

SUBPART C - PERMIT CONDITIONS

† CONDITIONS APPLICABLE TO ALL PERMITS

add provision for 270.42	270.30(1)(2)		
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SUBPART D - CHANGES TO PERMITS

† TRANSFER OF PERMITS

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

† MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
remove "Major" from section heading; remove reference to 270.42; request of permittee, approval/ denial under 270.42	270.41			
insert "by statute, through" before "promulgation"; insert "new or" before "amended"	270.41(a)(3)			
remove (a)(5) and redesignate existing (a)(6) as (a)(5)	270.41(a)(5)			

+ PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

revise section heading; remove introductory material	270.42			
putting into effect Class 1 modifications as listed in Appendix I	270.42(a)(1)			
notification of Director by permittee	270.42(a)(1)(i)			
to whom notice of modification must be sent and when	270.42(a)(1)(ii)			
rejection of modifi- cation by Director	270.42(a)(1) (iii)			
modifications requiring prior written approval	270.42(a)(2)			
Class 2 procedures instead of Class 1 procedures	270.42(a)(3)			
heading for "Class 2 modifications"	270.42(b)			
Class 2 modifications as listed in Appendix I	270.42(b)(1)			
description of exact changes	270.42(b)(1)(i)			
identification of Class 2 modification	270.42(b)(1)(ii)			
why modification is needed	270.42(b)(1) (iii)			

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
provision of appli- cable information	270.42(b)(1)(iv)			
to whom notice must be sent and when	270.42(b)(2)			
announcement of a 60-day comment period	270.42(b)(2)(i)			
announcement of where and when public meeting will be held	270.42(b)(2)(ii)			
name and phone number of permittee's contact person	270.42(b)(2) (iii)			
name and phone number of Agency contact person	270.42(b)(2)(iv)			
location for viewing modification request	270.42(b)(2)(v)			
availability of permittee's compliance history	270.42(b)(2)(vi)			
placement of modifi- cation request copy in vicinity of facility for public accessibility	270.42(b)(3)			
when and where permittee must hold a public meeting	270.42(b)(4)			
public comment period	270.42(b)(5)			
requirements after receipt of modifi- cation request	270.42(b)(6)(i)			
approve request, with or without changes	270.42(b)(6)(i) (A)			
	270.42(b)(6)(i) (B)			
deny request				
determine if Class 3 modification pro- cedures are needed:	270.42(b)(6)(i) (C)			
significant public concern	270.42(b)(6)(i) (C)(1)			
complex nature of changes	270.42(b)(6)(i) (C)(2)			

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
approve as temporary authorization	270.42(b)(6)(i) (D)			
notify permittee that decision will be made in 30 days	270.42(b)(6)(i) (E)			
requirements if decision is extended for 30 days:	270.42(b)(6)(ii)			
approve request, with or without changes	270.42(b)(6)(ii) (A)			
deny request	270.42(b)(6)(ii) (B)			
determine if Class 3 modification procedures are needed:	270.42(b)(6)(ii) (C)			
significant public concern	270.42(b)(6)(ii) (C)(1)			
complex nature of changes	270.42(b)(6)(ii) (C)(2)			
approve as temporary authorization	270.42(b)(6)(ii) (D)			
temporary or automatic authorization following failure to make decision	270.42(b)(6) (iii)			
requirements of permittee under temporary or automatic authorization	270.42(b)(6)(iv) (A)			
temporary authorization to conduct activities as in modification request	270.42(b)(6)(iv) (A)(1)			
unless final approval or denial, authorization for life of permit	270.42(b)(6)(iv) (A)(2)			
deferment of permanent authorization if failure to notify public	270.42(b)(6)(iv) (B)			

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
if no final approval or denial or reclass- sification, authority to conduct activities as described in modification request for life of permit unless later modification	270.42(b)(6)(v)			
consideration and response to all significant comments	270.42(b)(6)(vi)			
extension of time periods for final approval, denial or reclassification as Class 3	270.42(b)(6) (vii)			
reasons to deny or change Class 2 permit modifica- tion terms	270.42(b)(7)			
request is incomplete noncompliance	270.42(b)(7)(i)			
with appropriate requirements	270.42(b)(7)(ii)			
failure to protect human health and environment	270.42(b)(7) (iii)			
commencement of construction under Class 2	270.42(b)(8)			
heading for "Class 3 modifications"	270.42(c)			
requirements for Class 3 modifica- tions listed Appendix I	270.42(c)(1)			
description of exact changes	270.42(c)(1)(i)			
identification of Class 3 modification	270.42(c)(1)(ii)			
why modification is needed	270.42(c)(1) (iii)			
provision of appli- cable information	270.42(c)(1)(iv)			

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
to whom and when notice must be sent	270.42(c)(2)			
announcement of a 60-day comment period	270.42(c)(2)(i)			
announcement of when and where public meeting will be held	270.42(c)(2)(ii)			
name and phone number of permittee's contact person	270.42(c)(2) (iii)			
name and phone number of Agency contact person	270.42(c)(2)(iv)			
location for viewing modification request	270.42(c)(2)(v)			
availability of permittee's compliance history	270.42(c)(2)(vi)			
placement of modifi- cation request copy in vicinity of facility for public accessibility	270.42(c)(3)			
when and where permittee must hold a public meeting	270.42(c)(4)			
public comment period	270.42(c)(5)			
grant or deny modifi- cation request after public comment period; consider and respond to all significant written comments	270.42(c)(6)			
heading for "Other modifications"	270.42(d)			
other modifications not explicitly listed in Appendix I	270.42(d)(1)			
determination of appropriate class:	270.42(d)(2)			
changes that necessitate Class 1 modifications	270.42(d)(2)(i)			

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
changes that necessitate Class 2 modifications	270.42(d)(2)(ii)			
variations in types and quantities of wastes managed	270.42(d)(2)(ii) (A)			
technological advancements	270.42(d)(2)(ii) (B)			
changes necessary to comply with new regulations	270.42(d)(2)(ii) (C)			
Class 3 modifications description	270.42(d)(2) (iii)			
heading for "Tempo- rary authorizations"	270.42(e)			
granting of tempo- rary authorizations	270.42(e)(1)			
request for tempo- rary authorization:	270.42(e)(2)(i)			
Class 2 modification meeting criteria	270.42(e)(2)(i) (A)			
Class 3 modification meeting criteria and providing improved management or treatment	270.42(e)(2)(i) (B)			
what temporary authorization request must include	270.42(e)(2)(ii)			
description of activities	270.42(e)(2)(ii) (A)			
why temporary autho- rization is necessary	270.42(e)(2)(ii) (B)			
sufficient information to ensure compliance	270.42(e)(2)(ii) (C)			
to whom notice must be sent	270.42(e)(2) (iii)			
approve or deny temporary authoriza- tion quickly:	270.42(e)(3)			
authorized activities in compliance with Part 264	270.42(e)(3)(i)			

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
necessity of temporary authorization to achieve an objective:	270.42(e)(3)(ii)			
facilitate closure or corrective action activities	270.42(e)(3)(ii)(A)			
allow treatment or storage in tanks or containers of restricted wastes	270.42(e)(3)(ii)(B)			
prevent disruption of ongoing activities	270.42(e)(3)(ii)(C)			
respond to sudden changes in types or quantities of wastes managed	270.42(e)(3)(ii)(D)			
protection of human health and environment	270.42(e)(3)(ii)(E)			
reissuance of temporary authorization for Class 2 or 3	270.42(e)(4)			
reissuance of Class 2 in accordance with specific paragraphs	270.42(e)(4)(i)			
reissuance of Class 3 in accordance with specific paragraph	270.42(e)(4)(ii)			
heading for "Public notice and appeals of permit modification decisions"	270.42(f)			
when and to whom notification of grant, denial or automatic authorization decisions must be sent	270.42(f)(1)			
appeal of grant or denial decision	270.42(f)(2)			
appeal of automatic authorization	270.42(f)(3)			
heading for "Newly listed or identified wastes"	270.42(g)			

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
continued authority to manage wastes listed in Part 261:	270.42(g)(1)			
in existence as a hazardous waste facility on effective date of final rule listing or identifying waste	270.42(g)(1)(i)			
submit Class 1 modification request	270.42(g)(1)(ii)			
in compliance with 265 standards	270.42(g)(1)(iii)			
for Class 2 or 3 modifications, submit complete modification request within 180 days	270.42(g)(1)(iv)			
certification that land disposal units are in compliance within 12 months	270.42(g)(1)(v)			
expansions are not under 25 percent capacity limit for Class 2 modifications	270.42(g)(2)			
maintenance and notice of updated list of permit modifications	270.42(h)			
remove 270.42(i) through 270.42(o)	270.42(i)-(o)			
add Appendix I; classification of modifications	270.42, Appendix I			

Appendix I to § 270.42—Classification of Permit Modification

Modifications	Class
A. General Permit Provisions	
1. Administrative and informational changes.....	1
2. Correction of typographical errors.....	1
3. Equipment replacement or upgrading with functionally equivalent components (e.g., pipes, valves, pumps, conveyors, controls).....	1
4. Changes in the frequency of or procedures for monitoring, reporting, sampling, or maintenance activities by the permittee:	
a. To provide for more frequent monitoring, reporting, sampling, or maintenance.....	1
b. Other changes.....	2
5. Schedule of compliance:	
a. Changes in interim compliance dates, with prior approval of the Director.....	1 1
b. Extension of final compliance date.....	3
6. Changes in expiration date of permit to allow earlier permit termination, with prior approval of the Director.....	1 1
7. Changes in ownership or operational control of a facility, provided the procedures of § 270.40(b) are followed.....	1 1

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste Management Facilities (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
Modifications				
B. General Facility Standards				
1. Changes to waste sampling or analysis methods:				
a. To conform with agency guidance or regulations.				
b. Other changes				
2. Changes to analytical quality assurance/control plan:				
a. To conform with agency guidance or regulations.				
b. Other changes				
3. Changes in procedures for maintaining the operating record.				
4. Changes in frequency or content of inspection schedules.				
5. Changes in the training plan:				
a. That affect the type or decrease the amount of training given to employees.				
b. Other changes				
6. Contingency plan:				
a. Changes in emergency procedures (i.e., spill or release response procedures).				
b. Replacement with functionally equivalent equipment, upgrade, or relocate emergency equipment listed.				
c. Removal of equipment from emergency equipment list.				
d. Changes in name, address, or phone number of coordinators or other persons or agencies identified in the plan.				
Note: When a permit modification (such as introduction of a new unit) requires a change in facility plans or other general facility standards, that change shall be reviewed under the same procedures as the permit modification.				
C. Ground-Water Protection				
1. Changes to wells:				
a. Changes in the number, location, depth, or design of upgradient or downgradient wells of permitted ground-water monitoring system.				
b. Replacement of an existing well that has been damaged or rendered inoperable, without change to location, design, or depth of the well.				
2. Changes in ground-water sampling or analysis procedures or monitoring schedule, with prior approval of the Director.				
3. Changes in statistical procedure for determining whether a statistically significant change in ground-water quality between upgradient and downgradient wells has occurred, with prior approval of the Director.				
4. Changes in point of compliance.				
5. Changes in indicator parameters, hazardous constituents, or concentration limits (including ACLs)				
a. As specified in the groundwater protection standard.				
b. As specified in the detection monitoring program.				
6. Changes to a detection monitoring program as required by § 264.98(j) unless otherwise specified in this appendix.				
7. Compliance monitoring program:				
a. Addition of compliance monitoring program as required by §§ 264.98(h)(4) and 264.98.				
b. Changes to a compliance monitoring program as required by § 264.98(k), unless otherwise specified in this appendix.				
8. Corrective action program:				
a. Addition of a corrective action program as required by §§ 264.99(i)(2) and 264.100.				
b. Changes to a corrective action program as required by § 264.100(r), unless otherwise specified in this Appendix.				
D. Closure				
1. Changes to the closure plan:				
a. Changes in estimate of maximum extent of operations or maximum inventory of waste on-site at any time during the active life of the facility, with prior approval of the Director.				
b. Changes in the closure schedule for any unit, changes in the final closure schedule for the facility, or extension of the closure period, with prior approval of the Director.				
c. Changes in the expected year of final closure, where other permit conditions are not changed, with prior approval of the Director.				
d. Changes in procedures for decontamination of facility equipment or structures, with prior approval of the Director.				
e. Changes in approved closure plan resulting from unexpected events occurring during partial or final closure, unless otherwise specified in this appendix.				
2. Creation of a new landfill unit as part of closure.				
3. Addition of the following new units to be used temporarily for closure activities:				
a. Surface impoundments.				
b. Incinerators.				
c. Waste piles that do not comply with § 264.250(c).				
d. Waste piles that comply with § 264.250(c).				
e. Tanks or containers (other than specified below).				
f. Tanks used for neutralization, dewatering, phase separation, or component separation, with prior approval of the Director.				
E. Post-Closure				
1. Changes in name, address, or phone number of contact in post-closure plan.				
2. Extension of post-closure care period.				
3. Reduction in the post-closure care period.				
4. Changes to the expected year of final closure, where other permit conditions are not changed.				
5. Changes in post-closure plan necessitated by events occurring during the active life of the facility, including partial and final closure.				
F. Containers				
1. Modification or addition of container units:				
a. Resulting in greater than 25% increase in the facility's container storage capacity.				
b. Resulting in up to 25% increase in the facility's container storage capacity.				

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste Management Facilities (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
Modifications				
2.				
a. Modification of a container unit without increasing the capacity of the unit.....				2
b. Addition of a roof to a container unit without alteration of the containment system.....				1
3. Storage of different wastes in containers:				
a. That require additional or different management practices from those authorized in the permit.....				3
b. That do not require additional or different management practices from those authorized in the permit.....				2
Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.				
4. Other changes in container management practices (e.g., aisle space, types of containers; segregation).....				2
G. Tanks				
1:				
a. Modification or addition of tank units resulting in greater than 25% increase in the facility's tank capacity, except as provided in G(1)(c) and G(1)(d) of this appendix.....				3
b. Modification or addition of tank units resulting in up to 25% increase in the facility's tank capacity, except as provided in G(1)(d) of this appendix.....				2
c. Addition of a new tank that will operate for more than 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase separation, or component separation.....				2
d. After prior approval of the Director, addition of a new tank that will operate for up to 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase separation, or component separation.....				1 1
2. Modification of a tank unit or secondary containment system without increasing the capacity of the unit.....				2
3. Replacement of a tank with a tank that meets the same design standards and has a capacity within + / - 10% of the replaced tank provided:				1
- The capacity difference is no more than 1500 gallons.				
- The facility's permitted tank capacity is not increased, and				
- The replacement tank meets the same conditions in the permit.				
4. Modification of a tank management practice.....				2
5. Management of different wastes in tanks:				
a. That require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process from that authorized in the permit.....				3
b. That do not require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process than authorized in the permit.....				2
Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.				
H. Surface Impoundments				
1. Modification or addition of surface impoundment units that result in increasing the facility's surface impoundment storage or treatment capacity.....				3
2. Replacement of a surface impoundment unit.....				3
3. Modification of a surface impoundment unit without increasing the facility's surface impoundment storage or treatment capacity and without modifying the unit's liner, leak detection system, or leachate collection system.....				2
4. Modification of a surface impoundment management practice.....				2
5. Treatment, storage, or disposal of different wastes in surface impoundments:				
a. That require additional or different management practices or different design of the liner or leak detection system than authorized in the permit.....				3
b. That do not require additional or different management practices or different design of the liner or leak detection system than authorized in the permit.....				2
Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.				
I. Enclosed Waste Piles. For all waste piles except those complying with § 264.250(c), modifications are treated the same as for a landfill. The following modifications are applicable only to waste piles complying with § 264.250(c).				
1. Modification or addition of waste pile units:				
a. Resulting in greater than 25% increase in the facility's waste pile storage or treatment capacity.....				3
b. Resulting in up to 25% increase in the facility's waste pile storage or treatment capacity.....				2
2. Modification of waste pile unit without increasing the capacity of the unit.....				2
3. Replacement of a waste pile unit with another waste pile unit of the same design and capacity and meeting all waste pile conditions in the permit.....				1
4. Modification of a waste pile management practice.....				2
5. Storage or treatment of different wastes in waste piles:				
a. That require additional or different management practices or different design of the unit.....				1
b. That do not require additional or different management practices or different design of the unit.....				2
Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.				
J. Landfills and Unenclosed Waste Piles				
1. Modification or addition of landfill units that result in increasing the facility's disposal capacity.....				1
2. Replacement of a landfill.....				1
3. Addition or modification of a liner, leachate collection system, leachate detection system, run-off control, or final cover system.....				3
4. Modification of a landfill unit without changing a liner, leachate collection system, leachate detection system, run-off control, or final cover system.....				1
5. Modification of a landfill management practice.....				2
6. Landfill different wastes:				
a. That require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system.....				1
b. That do not require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system.....				1
Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.				

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste Management Facilities (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN	Case
		STATUTE	REGULATION		
Modifications					
K. Land Treatment					
1. Lateral expansion of or other modification of a land treatment unit to increase areal extent					
2. Modification of run-on control system					
3. Modify run-off control system					
4. Other modifications of land treatment unit component specifications or standards required in permit					
5. Management of different wastes in land treatment units:					
a. That require a change in permit operating conditions or unit design specifications					
b. That do not require a change in permit operating conditions or unit design specifications					
Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes					
6. Modification of a land treatment unit management practice to:					
a. Increase rate or change method of waste application					
b. Decrease rate of waste application					
7. Modification of a land treatment unit management practice to change measures of pH or moisture content, or to enhance microbial or chemical reactions					
8. Modification of a land treatment unit management practice to grow food chain crops, to add to or replace existing permitted crops with different food chain crops, or to modify operating plans for distribution of animal feeds resulting from such crops					
9. Modification of operating practice due to detection of releases from the land treatment unit pursuant to § 264.278(g)(2)					
10. Changes in the unsaturated zone monitoring system, resulting in a change to the location, depth, number of sampling points, or replace unsaturated zone monitoring devices or components of devices with devices or components that have specifications different from permit requirements					
11. Changes in the unsaturated zone monitoring system that do not result in a change to the location, depth, number of sampling points, or that replace unsaturated zone monitoring devices or components of devices with devices or components having specifications different from permit requirements					
12. Changes in background values for hazardous constituents in soil and soil-pore liquid					
13. Changes in sampling, analysis, or statistical procedure					
14. Changes in land treatment demonstration program prior to or during the demonstration					
15. Changes in any condition specified in the permit for a land treatment unit to reflect results of the land treatment demonstration, provided performance standards are met, and the Director's prior approval has been received					
16. Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown the conditions under which the wastes can be treated completely, provided the conditions for the second demonstration are substantially the same as the conditions for the first demonstration and have received the prior approval of the Director					
17. Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown the conditions under which the wastes can be treated completely, where the conditions for the second demonstration are not substantially the same as the conditions for the first demonstration					
18. Changes in vegetative cover requirements for closure					
L. Incinerators					
1. Changes to increase by more than 25% any of the following limits authorized in the permit: A thermal feed rate limit, a waste feed rate limit, or an organic chlorine feed rate limit. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means					
2. Changes to increase by up to 25% any of the following limits authorized in the permit: A thermal feed rate limit, a waste feed rate limit, or an organic chlorine feed rate limit. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means					
3. Modification of an incinerator unit by changing the internal size or geometry of the primary or secondary combustion units, by adding a primary or secondary combustion unit, by substantially changing the design of any component used to remove HCl or particulate from the combustion gases, or by changing other features of the incinerator that could affect its capability to meet the regulatory performance standards. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means					
4. Modification of an incinerator unit in a manner that would not likely affect the capability of the unit to meet the regulatory performance standards but which would change the operating conditions or monitoring requirements specified in the permit. The Director may require a new trial burn to demonstrate compliance with the regulatory performance standards					
5. Operating requirements:					
a. Modification of the limits specified in the permit for minimum combustion gas temperature, minimum combustion gas residence time, or oxygen concentration in the secondary combustion chamber. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means					
b. Modification of any stack gas emission limits specified in the permit, or modification of any conditions in the permit concerning emergency shutdown or automatic waste feed cutoff procedures or controls					
c. Modification of any other operating condition or any inspection or recordkeeping requirement specified in the permit					
6. Incineration of different wastes:					
a. If the waste contains a POHC that is more difficult to incinerate than authorized by the permit or if incineration of the waste requires compliance with different regulatory performance standards than specified in the permit. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means					
b. If the waste does not contain a POHC that is more difficult to incinerate than authorized by the permit and if incineration of the waste does not require compliance with different regulatory performance standards than specified in the permit					

* Also see technical correction to the rule at 53 FR 41649 (October 24, 1988).

**RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous
Waste Management Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

Modifications				
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Note: See § 270.42(g) for modification procedures to be used for the management of newly tested or identified wastes.

7. Shutdown and trial burn:

- Modification of the trial burn plan or any of the permit conditions applicable during the shutdown period for determining operational readiness after construction, the trial burn period, or the period immediately following the trial burn _____
- Authorization of up to an additional 720 hours of waste incineration during the shutdown period for determining operational readiness after construction, with the prior approval of the Director _____
- Changes in the operating requirements set in the permit for conducting a trial burn, provided the change is minor and has received the prior approval of the Director _____
- Changes in the ranges of the operating requirements set in the permit to reflect the results of the trial burn, provided the change is minor and has received the prior approval of the Director _____
- Substitution of an alternate type of fuel that is not specified in the permit _____

¹ Class 1 modifications requiring prior Agency approval.

SUBPART F - SPECIAL FORMS OF PERMITS

+ HAZARDOUS WASTE INCINERATOR PERMITS

revise last sentence by omitting parenthetical phrase	270.62(a)		
revise last sentence by omitting "as a minor modification"	270.62(b)(10)		

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

remove "as a minor modification"; add a new sentence on second phase of permit	270.63(d)(1)		
remove phrase on minor modifications	270.63(d)(2)		
remove paragraph	270.63(d)(3)		

RCRA REVISION CHECKLIST 55

Statistical Methods for Evaluating Ground-Water Monitoring
 Data from Hazardous Waste Facilities
 53 FR 39720-39731
 October 11, 1988
 (non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

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

SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

REQUIRED PROGRAMS

definition of "detected" as in 264.98(f)	264.91(a)(1)		
definition of "exceeded" as in 264.99(d)	264.91(a)(2)		

GROUND-WATER PROTECTION STANDARD

replace "entering" after 264.93 with "detected in"; in the last clause replace everything after "constituents have" with "been detected in the ground water."	264.92		
remove "and" from end of paragraph	264.97(a)(1)		
redesignate 264.97(g)(3) as 264.97(a)(1)(i); sampling of wells not hydraulically upgradient	264.97(a)(1)(i)		
old 264.97(g)(3)(i) becomes 264.97(a)(1)(i)(A); insert "hydraulic- ly" preceding "up- gradient"; replace "or" at end of paragraph with "and"	264.97(a)(1)(i) (A)		

**RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water
Monitoring Data from Hazardous Waste Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
old 264.97(g)(3)(ii) becomes 264.97(a)(1)(i)(B); add "; and " to end of paragraph	264.97(a)(1)(i) (B)			
contamination detec- tion when migration to uppermost aquifer	264.97(a)(3)			
detection monitoring --sampling procedure, number and kinds of samples, sample size	264.97(g)			
sequencing of at least four samples; requirements of interval between	264.97(g)(1)			
alternate sampling procedure	264.97(g)(2)			
redesignate as 264.97(a)(1)(i)	264.97(g)(3)			
specify statistical evaluation methods for ground-water data and specify in permit; requirements for use of listed methods:	264.97(h)			
parametric ANOVA followed by multiple comparisons procedures	264.97(h)(1)			
ANOVA based on ranks followed by multiple comparisons procedures	264.97(h)(2)			
tolerance or predic- tion interval procedure	264.97(h)(3)			
control chart approach	264.97(h)(4)			
another statistical method approved by the Regional Administrator	264.97(h)(5)			

**RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water
Monitoring Data from Hazardous Waste Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
performance standards for statistical methods chosen under 264.97(h):	264.97(i)			
appropriate for distribution of chemical parameters or hazardous constituents; transformed or distribution-free test	264.97(i)(1)			
individual well comparison--0.01 Type I error; multiple comparisons--0.05 Type I error, but maintain 0.01 Type I error for individual wells	264.97(i)(2)			
for control chart approach, what must be approved by Regional Administrator	264.97(i)(3)			
for tolerance or prediction interval, what must be approved by Regional Administrator	264.97(i)(4)			
account for data below detection limit and requirements	264.97(i)(5)			
procedures to correct or control for seasonal and spatial variability	264.97(i)(6)			
maintenance of ground-water monitoring data in facility operating record; when data must be reviewed	264.97(j)			

DETECTION MONITORING PROGRAM

**RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water
Monitoring Data from Hazardous Waste Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
ground-water monitoring program for each chemical parameter and hazardous constituent; record of ground-water analytical data	264.98(c)			
Regional Administrator specifies frequency of samples and tests; four samples per well semi-annually	264.98(d)			
determine if statistically significant evidence of contamination	264.98(f)			
methods which can be used	264.98(f)(1)			
determine evidence of contamination at each monitoring well at compliance point; time period determined by Regional Administrator	264.98(f)(2)			
what owner/operator must do if statistically significant evidence of contamination	264.98(g)			
notification of Regional Administrator	264.98(g)(1)			
immediate determination if Appendix IX constituents are in groundwater	264.98(g)(2)			
for constituents found, resample in one month; if confirmed, form basis of compliance monitoring; no resample--initial analysis is basis	264.98(g)(3)			

**RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water
Monitoring Data from Hazardous Waste Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
application for permit modification	264.98(g)(4)			
1/ Appendix IX constituent concentration	264.98(g)(4)(i)			
proposed changes to ground-water monitoring system	264.98(g)(4) (ii)			
proposed additions or changes	264.98(g)(4) (iii)			
proposed concentra- tion limit or notice of intent for alternate concentration limit	264.98(g)(4) (iv)			
what must be sub- mitted within 180 days	264.98(g)(5)			
data to justify alternate concen- tration limit	264.98(g)(5)(i)			
engineering feasibility plan for corrective action	264.98(g)(5)(ii)			
concentration of 264.98(g)(2) con- stituents do not exceed values of Table 1, 264.94	264.98(g)(5)(ii) (A)			
alternate concen- tration limit	264.98(g)(5)(ii) (B)			
demonstration of a source other than regulated unit caused contamination	264.98(g)(6)			
notify Regional Administrator of intent to submit demonstration	264.98(g)(6)(i)			
report demonstrating that another source caused contamination or error in sampling, analysis or evaluation	264.98(g)(6)(ii)			

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

**RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water
Monitoring Data from Hazardous Waste Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
application for permit modification	264.98(g)(6) (iii)			
continue to monitor	264.98(g)(6)(iv)			
what must be done if detection monitoring program no longer satisfies requirements	264.98(h)			
delete paragraph	264.98(i)			
delete paragraph	264.98(j)			
delete paragraph	264.98(k)			
COMPLIANCE MONITORING PROGRAM				
Regional Admin- istrator specifies procedures and statistical methods	264.99(c)			
sampling program for each chemical parameter or hazard- ous constituent	264.99(c)(1)			
record of ground- water analytical data	264.99(c)(2)			
statistical evidence of increased contam- ination of any chemical parameter or hazardous constituent	264.99(d)			
method(s) to deter- mine statistically significant evidence of increased contamination	264.99(d)(1)			

**RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water
Monitoring Data from Hazardous Waste Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
within reasonable time period, determine if statistically significant evidence of increased contamination at each monitoring well at compliance point	264.99(d)(2)			
Regional Administrator specification of sample and test frequencies; four samples per well semi-annually	264.99(f)			
annual analysis at each well's compliance point for all 264, Appendix IX constituents; procedures regarding new constituents not in permit	264.99(g)			
remove old 264.99(h) and redesignate old 264.99(i) as 264.99(h); revise new 264.99(h)-- change "(h)" to "(d)"; replace "the ground water protection standard" with "any concentration limits under 264.94 are"; insert "or she" after "he"	264.99(h)			

**RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water
Monitoring Data from Hazardous Waste Facilities (Cont'd)**

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
redesignate old 264.99(j) as 264.99(i); revise new 264.99(i)-- change "(h)" to "(d)"; replace "protection standard" with "con- centration limits under this section are"; insert "or she"after "he"; revise rest of paragraph after "regulated unit caused" retaining clause "In making demonstration..."	264.99(i)			
redesignate old 264.99(k) as 264.99(j)	264.99(j)			
redesignated as 264.99(j) so that 264.99(k) no longer exists	264.99(k)			
remove paragraph	268.99(1)			

RCRA REVISION CHECKLIST 56

Identification and Listing of Hazardous Waste; Removal of
 Iron Dextran from the List of Hazardous Wastes
 53 FR 43878-43881
 October 31, 1988
 (non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

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

+ remove listing	261.33(f)		
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The following waste has been removed from the 261.33(f) list:

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

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

+ remove listing	Appendix VIII		
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The following waste has been removed from Appendix VIII:

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

RCRA REVISION CHECKLIST 57

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

53 FR 43881-43884

October 31, 1988

(non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

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

remove listing

261.33(e)

The following waste has been removed from the 261.33(e) list:

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

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

+ remove listing

Appendix VIII

The following waste has been removed from Appendix VIII:

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

RCRA REVISION CHECKLIST 58

Standards for Generators of Hazardous Waste
53 FR 45089-45093
November 8, 1988
(non-HSWA Cluster V)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART B - THE MANIFEST

GENERAL REQUIREMENTS

Amend OMB control number	262.20(a)		
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APPENDIX TO PART 262

UNIFORM HAZARDOUS WASTE MANIFEST

change expiration date; add burden disclosure statement	8700-22		
change expiration date	8700-22A		

ATTACHMENT B
Updated Portions of SCRAM

Table A-1 lists the Revision Checklists. They are generally listed in chronological order, except that they are grouped into the following categories:

- Non-HSWA requirements prior to Cluster I (January 26, 1983 - June 30, 1984)
- Non-HSWA Cluster I (July 1, 1984 - June 30, 1985)
- Non-HSWA Cluster II (July 1, 1985 - June 30, 1986)
- Non-HSWA Cluster III (July 1, 1986 - June 30, 1987)
- Non-HSWA Cluster IV (July 1, 1987 - June 30, 1988)
- Non-HSWA Cluster V (July 1, 1988 - June 30, 1989)
- HSWA Cluster I (November 8, 1984 - June 30, 1987)
- HSWA Cluster II (July 1, 1987 - June 30, 1990)

The checklists in this Table that are noted with a "+" contain only optional requirements. As additional changes to the Federal program occur, corresponding checklists will be added to this Appendix.

Table A-1

Recent Federal Requirements

<u>Revision Checklist #</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>Non-HSWA Requirements</u>			
1	Biennial Report [See Revision Check- list #30]	48 FR 3977	1/28/83
2	Permit Rules - Settlement Agreement	48 FR 39622	9/1/83
3	Interim Status Standards - Applica- bility [See Revision Checklist #10]	48 FR 52718	11/22/83
4	Chlorinated Aliphatic Hydrocarbon Listing	49 FR 5313	2/10/84
5	National Uniform Manifest [See Revision Checklists #17D & #32]	49 FR 10490	3/20/84
6	Permit Rules - Settlement Agreement	49 FR 17716	4/24/84
+7	Listing Warfarin & Zinc Phosphide	49 FR 19922	5/10/84
+8	Lime Stabilized Pickle Liquor Sludge	49 FR 23284	6/5/84
<u>Non-HSWA Cluster I (July 1, 1984 - June 30, 1985)</u>			
	State Availability of Information [See Appendix D]	HSWA §3006(f)	11/8/84
+9	Exclusion of Household Waste	49 FR 44980	11/13/84
10	Interim Status Standards - Applica- bility	49 FR 46095	11/21/84
11	Corrections to Test Methods Manual	49 FR 47391	12/4/84
+12	Satellite Accumulation	49 FR 49571	12/20/84
13	Redefinition of Solid Waste	50 FR 614	1/4/85
15	Interim Status Standards for Landfills	50 FR 16044	4/23/85

Continued . . .

Table A-1 (Cont'd)

Recent Federal Requirements

<u>Revision Checklist #</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>Non-HSWA Cluster II (July 1, 1985 - June 30, 1986)</u>			
24	Closure, Post-Closure and Financial Responsibility Requirements	51 FR 16422	5/2/86
+26	Listing of Spent Pickle Liquor	51 FR 19320	5/28/86
<u>Non-HSWA Cluster III (July 1, 1986 - June 30, 1987)</u>			
	Radioactive Mixed Waste (See SPA #2)	51 FR 24504	7/3/86
+27	Liability Coverage - Corporate Guarantee (See Revision Checklist #43)	51 FR 25350	7/11/86
28	Hazardous Waste Tank Systems [Certain sections superceded by 53 FR 34079, see Revision Checklist #52; also see HSWA Cluster I]	51 FR 25422	7/14/86
29	Correction to Listing of Commercial Chemical Products and Appendix VIII Constituents (Superceded by 53 FR 13382, see Revision Checklist 46)	51 FR 28296	8/6/86
	[Hazardous Waste Tank Systems; Cor- rection, See Revision Checklist #28]	51 FR 29430	8/15/86
	+ [Listing of Spent Pickle Liquor; Correction, See Revision Checklist #26]	51 FR 33612	9/22/86
35	Revised Manual SW-846; Amended Incorpora- tion by Reference	52 FR 8072	3/16/87
36	Closure/Post-closure Care for Interim Status Surface Impoundments	52 FR 8704	3/19/87
37	Definition of Solid Waste; Technical Corrections	52 FR 21306	6/5/87
38	Amendments to Part B - Information Re- quirements for Land Disposal Facilities	52 FR 23447	6/22/87

Continued . . .

Table A-1 (Cont'd)
Recent Federal Requirements

<u>Revision Checklist #</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>			
46	Technical Correction; Identification and Listing of Hazardous Waste (Supercedes Revision Checklist 29)**	53 FR 13382	4/22/88
<u>Non-HSWA Cluster IV (July 1, 1987 - June 30, 1988)</u>			
40	List (Phase I) of Hazardous Constituents for Ground-Water Monitoring	52 FR 25942	7/9/87
41	Identification and Listing of Hazardous Waste	52 FR 26012	7/10/87
	[Listing of Spent Pickle Liquor; Clarification, See Revision Checklist #26]	52 FR 28697	8/3/87
	[Development of Corrective Action Programs After Permitting Hazardous Waste Land Disposal Facilities; Corrections, See Revision Checklist #38]	52 FR 33936	9/9/87
+43	Liability Requirements for Hazardous Waste Facilities; Corporate Guarantee (See Revision Checklist #27)*	52 FR 44314	11/18/87
45	Hazardous Waste Miscellaneous Units	52 FR 46946	12/10/87
	[Technical Correction; Identification and Listing of Hazardous Waste (Supercedes Revision Checklist 29; placed in non-HSWA Cluster III, see Revision Checklist 46)]**	53 FR 13382	4/22/88
<u>Non-HSWA Cluster V (July 1, 1988 - June 30, 1989)</u>			
+49	Identification and Listing of Hazardous Waste; Treatability Studies Sample Exemption	53 FR 27290	7/19/88

Continued . . .

Table A-1 (Cont'd)

Recent Federal Requirements

<u>Revision Checklist #</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>			
51	Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities; Liability Coverage (reserved, this rule presently subject to litigation)	53 FR 33938	9/1/88
52	Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems [See Revision Checklist #28; also see HSWA Cluster II]	53 FR 34079	9/2/88
53	Identification and Listing of Hazardous Waste; and Designation Reportable Quantities, and Notification	53 FR 35412	9/13/88
+54	Permit Modifications for Hazardous Waste Management Facilities	53 FR 37912	9/28/88
55	Statistical Methods for Evaluating Ground-Water Monitoring Data from Hazardous Waste Facilities	53 FR 39720	10/11/88
	[Permit Modifications for Hazardous Waste Management Facilities, see Revision Checklist #54]	53 FR 41649	10/24/88
+56	Identification and Listing of Hazardous Waste; Removal of Iron Dextran from the List of Hazardous Wastes	53 FR 43878	10/31/88
+57	Identification and Listing of Hazardous Waste; Removal of Strontium Sulfide from the List of Hazardous Wastes	53 FR 43881	10/31/88
58	Standards for Generators of Hazardous Waste (reserved)	53 FR 45089	11/8/88

Continued . . .

Table A-1 (Cont'd)
Recent Federal Requirements

<u>Revision Checklist #</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>HSWA CLUSTER I (November 8, 1984 - June 30, 1987)</u>			
	HSWA Date of Enactment Provisions [See Revision Checklist #17]	Numerous	11/8/84
	Direct Action Against Insurers	HSWA §3004(t)	11/8/84
14	Dioxin Listing and Management Standards	50 FR 1978	1/14/85
	Fuel Labeling [See #17K]	HSWA §3004 (r)(1)	2/7/85
16	Paint Filter Test [See Revision Checklist #25]	50 FR 18370	4/30/85
	Prohibition of Liquids in Landfills [See #17F]	HSWA §3004(c)	5/8/85
	Expansions During Interim Status - Waste Piles [See #17P]	HSWA §3015(a)	5/8/85
	Expansions During Interim Status - Landfills and Surface Impoundments [See #17P]	HSWA §3015(b)	5/8/85
17	HSWA Codification Rule [See Revision Checklist #44]	50 FR 28702	7/15/85
	17A - Small Quantity Generators [Superceded 51 FR 10174, see Revision Checklist #23]		
	17B - Delisting		
	17C - Household Waste		
	17D - Waste Minimization [See Revision Checklist #32]		
	17E - Location Standards for Salt Domes, Salt Beds, Underground Mines and Caves		
	17F - Liquids in Landfills [See Revision Checklist #25]		
	17G - Dust Suppression		
	17H - Double Liners		

Continued . . .

Table A-1 (Cont'd)
Recent Federal Requirements

<u>Revision Checklist #</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>			
	17I - Ground-Water Monitoring		
	17J - Cement Kilns		
	17K - Fuel Labeling		
	17L - Corrective Action		
	17M - Pre-construction Ban		
	17N - Permit Life		
	17O - Omnibus Provision		
	17P - Interim Status		
	17Q - Research and Development Permits		
	17R - Hazardous Waste Exports [Super- ceded by 51 FR 28644, See Revision Checklist #31]		
	17S - Exposure Information		
18	Listing of TDI, TDA, DNT	50 FR 42936	10/23/85
19	Burning of Waste Fuel and Used Oil Fuel in Boilers and Industrial Furnaces	50 FR 49164	11/29/85
20	Spent Solvents Listing	50 FR 53315	12/31/85
21	EDB Waste Listing	51 FR 5330	2/13/86
22	Four Spent Solvents Listing	51 FR 6541	2/25/86
23	Small Quantity Generators [See Revision Checklists #42 and #47]	51 FR 10174	3/24/86
25	Paint Filter Test; Correction	51 FR 19176	5/28/86
28	Hazardous Waste Tank Systems [Certain sections superceded by 53 FR 34079, see Revision Checklist #52; also see Non-HSWA Cluster III]	51 FR 25422	7/14/86
30	Biennial Reports; Correction	51 FR 28556	8/8/86
31	Exports of Hazardous Waste [See Revision Checklist #48]	51 FR 28664	8/8/86

Continued...

Table A-1 (Cont'd)
Recent Federal Requirements

<u>Revision Checklist #</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>			
32	Standards for Generators - Waste Minimization Certifications	51 FR 35190	10/1/86
33	Listing of EBDC	51 FR 37725	10/24/86
34	Land Disposal Restrictions [Certain sections superceded by 52 FR 25760 and 53 FR 31138, see Revision Checklists #39 & #50, and SPA's #4 & #6]	51 FR 40572	11/7/86
	[Burning of Waste Fuel and Used Oil Fuel in Boilers and Industrial Furnaces; Technical Corrections, see Revision Checklist #19]	52 FR 11819	4/13/87
	[Land Disposal Restrictions; Corrections, see Revision Checklist #34]	52 FR 21010	6/4/87
47	Identification and Listing of Hazardous Waste; Technical Correction (see Revision Checklist #23)**	53 <u>FR</u> 27162	7/19/88
48	Farmer Exemptions; Technical Corrections (see Revision Checklist #31)**	53 <u>FR</u> 27164	7/19/88
<u>HSWA Cluster II (July 1, 1987 - June 30, 1990)</u>			
39	California List Waste Restrictions [See Revision Checklist #34 and SPA #4; certain sections superceded by 53 FR 31138, see Revision Checklist 50 and SPA #6]	52 FR 25760	7/8/87
42	Exception Reporting for Small Quantity Generators of Hazardous Waste [See Checklist #23]	52 FR 35894	9/23/87

Continued . . .

Table A-1 (Cont'd)

Recent Federal Requirements

<u>Revision Checklist #</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>		
	[California List Waste Restrictions; Technical Corrections, See Revision Checklist #39]	52 FR 41295	10/27/87
44	HSWA Codification Rule 2 [See Revision Checklist #17]	52 FR 45788	12/1/87
	44A - Permit Application Require- ments Regarding Corrective Action		
	44B - Corrective Action Beyond Facility Boundary		
	44C - Corrective Action for Inject- tion Wells		
	44D - Permit Modification		
	44E - Permit as a Shield Provision		
	44F - Permit Conditions to Protect Human Health and the Environ- ment		
	44G - Post-Closure Permits		
	[Identification and Listing of Hazardous Waste; Technical Correction (placed in HSWA Cluster I, see Revision Checklist #47)]**	53 FR 27162	7/19/88
	[Farmer Exemptions; Technical Corrections (placed in HSWA Cluster I, see Revision Checklist #48)]**	53 FR 27164	7/19/88
50	Land Disposal Restrictions for First Third Scheduled Wastes	53 FR 31138	8/17/88

Continued . . .

Table A-1 (Cont'd)

Recent Federal Requirements

<u>Revision Checklist #</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>		
52	Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems [Supercedes certain portions of Revision Checklist #28; also see non-HSWA Cluster V]	53 FR 34079	9/2/88
	[Land Disposal Restrictions, See Revision Checklist #50]	54 FR 8264	2/27/89

+ Optional.

* While 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.

** This is a technical correction to a previous checklist, and it has been placed in the cluster of the revision checklist it corrects. If the cluster in which this checklist has been placed is already closed, states need to adopt this technical correction as soon as possible.

MODEL ATTORNEY GENERAL'S STATEMENT FOR FINAL AUTHORIZATION
FOR CHANGES TO THE FEDERAL RCRA PROGRAM FROM
JANUARY, 1983 THROUGH DECEMBER, 1988

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).

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, as amended February 10, 1984 [49 FR 5308-15], Revision Checklist 4.
- (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 and 261.33(f), as amended October 23, 1985 [50 FR 42936-43], Revision Checklist 18.
- (4) Spent solvents, 40 CFR 261.31, as amended December 31, 1985 [50 FR 53319-20] and January 21, 1986 [51 FR 2702], Revision Checklist 20.
- (5) EDB wastes, 40 CFR 261.32, as amended February 13, 1986 [51, FR 5330], Revision Checklist 21.
- (6) Four spent solvents, 40 CFR 261.31 and 261.33(f), 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.

* The 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 as least as stringent as the Federal requirement.

- (8) Listing of commercial chemical products and Appendix VIII constituents, 40 CFR 261.33 and 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, as amended on October 24, 1986 [51 FR 37725], Revision Checklist 33.
- (10) [OPTIONAL: This is a reduced requirement.] Generic delisting of iron dextran (CAS No. 9004-66-4), 40 CFR 261.33(f) and Appendix VIII, as amended October 31, 1988 [53 FR 43878], Revision Checklist 56.
- (11) [OPTIONAL: This is a reduced requirement.] Generic delisting of strontium sulfide (CAS No. 1314-96-1), 40 CFR 261.33(e) and Appendix VIII, as amended October 31, 1988 [53 FR 43881], Revision Checklist 57.

[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 17A) 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 262 as amended October 1, 1986 [51 FR 35190], Revision Checklist 32 (see Item IX below).

[Federal Authority: RCRA §3001(d); 40 CFR Parts 260-263 and 270 as amended March 24, 1986 (51 FR 10174), 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 is an optional requirement only if States do not have a delisting mechanism.] State statutes and regulations provide authority to delist hazardous waste as indicated in Revision Checklist 17B.

- (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).]

- (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).]

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 amended June 5, 1984 [49 FR 23284], 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 amended November 13, 1984 [49 FR 44980], and as indicated in Revision Checklists 9 and 17C.

[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 47391) 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 §§1006 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 to 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 provide for listing of these six wastes as indicated in Revision Checklist 53.

[Federal Authority: RCRA §3001(b); 40 CFR 261.4(b)(7) and 261.32 as amended September 13, 1988 (53 FR 35412).]

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 amended January 4, 1985 [50 FR 614-669], April 11, 1985 [50 FR 14216-20], August 20, 1985 [50 FR 33541-43] and June 5, 1987 (52 FR 21306) as indicated in Revision Checklists 13 and 37.

[Federal Authority: RCRA §§3001, 3004; 40 CFR 260, 261, 264, 265, and 266.

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, and 261.33(f).
- (2) Special management and permitting standards for facilities managing dioxin wastes and prohibitions applicable to interim status facilities, as provided in 40 CFR Parts 264, 265, and 270.

[Federal Authority: §§3001, 3004; 40 CFR Parts 261, 264, 265 and 270 as amended January 14, 1985 (50 FR 1978-2006).]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

IV. SATELLITE ACCUMULATION

[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, 3005 and 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

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, 17F and 25.

[Federal Authority: RCRA §§3004, 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, 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

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).
- (2) Facilities must submit groundwater monitoring data annually to the State Director as indicated in 40 CFR 265.94.

[Federal Authority: RCRA §§3002, 3004; 40 CFR Parts 262 and 265 as amended January 28, 1983 (48 FR 3981-83) and August 8, 1986 (51 FR 28566).]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

IX. WASTE MINIMIZATION

State statutes and regulations contain the following requirements regarding waste minimization as indicated in Revision Checklists 17D, 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: §3005(h); 40 CFR Parts 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 17F 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), 265.314(e), 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.

[Federal Authority: §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 §3004⁴³ 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 17I.

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

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).

[Federal Authority: RCRA §3004(p); 40 CFR 264.90(b).]

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.

[Federal Authority: RCRA §§1006, 2002(a), 3001, 3004, and 3005; 40 CFR Parts 264.98, 264.99, Appendix IX of 264, 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

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 17J.

[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

- (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 17J and 17K.

[Federal Authority: RCRA §§3004(q)-(s); 40 CFR 261.33; 266.34 as amended July 15, 1985 (50 FR 28702).]

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 these requirements as specified in §§3004(q)(2)(A) and 3004r(2) & (3).

[Federal Authority: RCRA §§3004(q)2(A) and 3004r(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 17L:

- (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; 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 §3004(v) regulations.)

[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 §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) There is evidence of financial responsibility for corrective action on- and off-site.

[Federal Authority: RCRA §§3004(a)(6); (u); 40 CFR 264.90; .101.]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

B. Additional information and engineering feasibility plan requirements regarding groundwater contamination detected at the time of Part B permit application as indicated in Checklist 38 (52 FR 23447, June 22, 1987 and 52 FR 33936, September 9, 1987).

[Federal Authority: Secs 1006, 2002, 3005, 3007 and 7004 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended (42 U.S.C. 6905, 6912, 6925, 6927, 6974), unless otherwise noted.]

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 44A.

[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) to 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 44B.

[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 44C.

- (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 141.3(g) as amended December 1, 1987 (52 FR 45788).]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

- (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 unit 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

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 17R, 31, and 48 (with the latter 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), and July 19, 1988 (53 FR 27164).]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

XV. STANDARDS FOR FACILITIES*

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 17E. 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 underground mines or caves. Deep injection well means a well used for the underground injection of hazardous wastes other than a well to which §7010(a) of RCRA applies.

[Federal Authority: RCRA §§3004(b)-(q); 40 CFR 264.18, 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 §264.18(c) and §265.18(c) as indicated in Revision Checklist 17E. 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); 40 CFR 264.600 et seq., December 10, 1987 (52 FR 46946).]

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 17G.

* This 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.

[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 allow direct action by third parties against the insurer or guarantor of an owner/operator's financial responsibilities if an owner/operator is in bankruptcy reorganization or arrangement or where (with reasonable diligence) jurisdiction in any State or Federal Court cannot be obtained over an owner/operator likely to be solvent at time of judgment.

[Federal Authority: RCRA §3004(t).]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

E. 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 amended September 1, 1983, as indicated in Revision Checklist 2.

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

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

F. 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, 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

G. 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 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

H. [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 Checklist 27 and Revision Checklist 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

I. 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 Checklist 28 and Revision Checklist 52.

[Federal Authority: RCRA §§1006, 2002, 3001 - 3007, 3010, 3014, 3017 - 3019 and 7004; 40 CFR 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

J. State statutes and regulations require environmental performance standards; monitoring, testing, analytical data, inspection, response and reporting procedure; 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

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 17M.

[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 264, 266, and 270, as indicated in Revision Checklist 17N.

[Federal Authority: RCRA §3005(c)(3); 40 CFR 270.41(a)(6), 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

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 170.

[Federal Authority: RCRA §3005(c)(3); 40 CFR 270.32 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 17P.

[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 17P.

[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 by 11/8/89 unless the owner/operator submits a Part B application by 11/8/86 as indicated in Revision Checklist 17P.

[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 by 11/8/92 unless the owner/operator submits a Part B application by 11/8/88 as indicated in Revision Checklist 17P.

[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 17P.

[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

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 17P.

[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 3x) 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 17Q. If adopted, however, the State must require the facility to meet RCRA's financial 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 17L.

[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)(6)(A).]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

- (2) Surface impoundments to comply with the double liner, leachate collection and ground-water monitoring requirements if the Agency allows a hazardous waste prohibited from land disposal under §3004(d), (e) or (g) to be placed in such impoundments.

[Federal Authority: RCRA §3005(j)(11).]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

- (3) [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).

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

[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 44E.

[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 44F.

[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 44G.

[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 Checklist 45.

[Federal Authority: RCRA §§3004 and 3005; 40 CFR 264.600, 270.14 and 270.23 as amended December 10, 1987 (52 FR 46946).]

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 to allow for expedited approval if no public concern exists for a proposed permit modification. 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 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

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 17H.

[Federal Authority: RCRA §3015(a); CFR 265.254]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

B. State statutes and regulation require that:

- (1) New units, expansions, and replacement units at interim status landfills and surface impoundments and permitted landfills and surface impoundments meet the requirements for double liners and leachate collection systems applicable to new permitted landfills and surface impoundments in 40 CFR 264.221 and .301 and 265.221 and .301 as indicated in Revision Checklist 17H.
- (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 17H.

- (3) Variances from the above requirements are optional. However, the availability of such variances is restricted as provided in §§265.221(c) and 265.301(c) as indicated in Revision Checklist 17H.

[Federal Authority: RCRA §3015(b); 40 CFR 264.221 and 265.221 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 17S.

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

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

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 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 responsibility instruments; ground-water monitoring data (note that exemptions 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 D of the SCRAM. [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 D of the SCRAM. 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. BURNING OF WASTE FUEL AND USED OIL FUEL 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 provided in 40 CFR 264.340, 265.340, 266.30-35 and 266.40-45.

[Federal Authority: §§3001, 3004, 3014(a); 40 CFR Parts 261, 264, 265 and 266 as amended November 29, 1985 [50 FR 49164 - 49212], November 19, 1986 [51 FR 41900 - 41904] and April 13, 1987 [52 FR 11819 - 11822].]

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

B. State statutes and regulations provide the authority to obtain criminal penalties for violations of the waste fuel and used oil fuel requirements, as provided in 40 CFR 266.40-45.

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

Citation of Laws and Regulations; Date of Enactment and Adoption Remarks of the Attorney General

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 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), 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 and 50.

[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) and August 17, 1988 (53 FR 31138).]

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 Checklist 50.

[Federal Authority: RCRA §3004 (d)-(k) and (m); 40 CFR Parts 264, 265, and 268 as amended on August 17, 1988 (53 FR 31138) and February 27, 1989 (54 FR 8264).]

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.

Seal of Office

Signature

Name (Type or Print)

Title

Date

The following two pages
replace only the first
two pages of Model C.

Complete copies of Models G and H
follow the two Model C pages.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

(Insert Name of State); Final Authorization
of State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency

ACTION: Immediate Final Rule

SUMMARY: State X has applied for (final/interim) authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has reviewed State X's application and has made a decision, subject to public review and comment, that State X's hazardous waste program revision satisfies all of the requirements necessary to qualify for (final/interim) authorization. Thus, EPA intends to approve State X's hazardous waste program revisions. State X's application for program revision is available for public review and comment.

DATES: (Final/Interim) authorization for State X shall be effective [insert date 60 calendar days after the date of publication in the FEDERAL REGISTER] unless EPA publishes a prior FEDERAL REGISTER action withdrawing this immediate final rule. All comments on State X's program revision application must be received by the close of business [insert date thirty calendar days after the date of publication in the FEDERAL REGISTER].

ADDRESSES: Copies of State X's program revision application are available during (insert business hours) at the following addresses for inspection and copying: (insert appropriate State addresses), U.S. EPA Headquarters Library, PM 211A, 401 M Street, S.W., Washington, D.C., 20460 Phone: 202/382-5926, U.S. EPA Region (insert Region number), Library, (insert the address, phone number, and contact). Written comments should be sent to (insert name, address, and phone number of the appropriate Regional contact.)

FOR FURTHER INFORMATION CONTACT: (Insert name, address, and phone number of the appropriate Regional contact.)

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under Section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6929(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Public Law 98-616, November 8, 1984, hereinafter "HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under Section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

MODEL G

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 272

HAZARDOUS WASTE MANAGEMENT PROGRAM: CODIFICATION OF APPROVED
STATE HAZARDOUS WASTE PROGRAM FOR [insert name of State]

AGENCY: Environmental Protection Agency

ACTION: Proposed/Final Rule

SUMMARY: The Resource Conservation and Recovery Act of 1976 as amended (RCRA) authorizes the U.S. Environmental Protection Agency (EPA) to grant Final Authorization to States to operate their hazardous waste management programs in lieu of the Federal program. 40 CFR Part 272 codifies EPA's prior authorization of State programs and incorporates by reference those provisions of the State statutes and regulations that EPA will enforce under RCRA Section 3008. This [[proposal is to codify] or [rule codifies]] the [insert State name] authorized State program in Part 272.

DATES: [For proposed rule: Comments on [insert State name] authorized program proposed codification must be received by the close of business [insert date 30 days after publication]]. [For final rule: The codification is effective [insert date 14 days after publication]. The incorporation by reference of certain publications listed in the regulations was approved by the Director of the Federal Register as of [insert date of approval]].

[ADDRESSES: For proposed rule: Written comments should be sent to [insert name, address, and telephone number of the appropriate Regional contact]].

FOR FURTHER INFORMATION CONTACT: [Insert name, address, and telephone number of the appropriate Regional contact].

SUPPLEMENTARY INFORMATION

Background

Section 3006 of the Resource Conservation and Recovery Act of 1976, as amended, (RCRA), 42 U.S.C. 6926 et. seq., allows the U.S. Environmental Protection Agency (EPA) to authorize State hazardous waste programs to operate in the State in lieu of the Federal hazardous waste program. On [insert date of final determination], EPA published a Federal Register notice announcing its decision to grant final authorization to [insert State name]. (See ____ FR ____). [Describe program revisions for which State is authorized and current [proposed] revisions if applicable].

Since that time, EPA has decided to codify its approval of State programs in Part 272 of Title 40, Code of Federal Regulations (CFR) and to incorporate by reference therein the State statutes and regulations that EPA will enforce under Section 3008. Today's [proposed] codification reflects the State program that was in effect when EPA granted [insert State name] final authorization under Section 3006(b) for its hazardous waste program and authorized revisions thereto [and the revisions [[being authorized for today] or [proposed for authorization]]].

This effort will provide clearer notice to the public of the scope of the authorized program in each State. Such notice is particularly important in light of the Hazardous and Solid Waste Act Amendments of 1984 (HSWA), Pub. L. 98-618. Revisions to State hazardous waste programs are necessary when Federal statutory or regulatory authority is modified. Because HSWA extensively amended RCRA, State programs must be modified to reflect those amendments. By codifying the authorized [insert State name] program and by amending the Code of Federal Regulations whenever a new or different set of requirements is authorized in [insert State name], the status of Federally approved requirements of the [insert State name] program will be readily discernible.

The Agency will only codify for enforcement purposes those provisions of the [insert State name] hazardous waste management program for which authorization approval has been granted by EPA. Concerning HSWA, some State requirements may be similar to

HSWA requirements that are in effect under Federal statutory authority in that State. However, a State's HSWA-type requirements are not authorized and will not be codified into the CFR until the Regional Administrator publishes his final decision to authorize the State for specific HSWA requirements. Until such time, EPA will enforce the HSWA requirements and not the State analogs.

To codify the [insert State name] authorized hazardous waste program, EPA [[proposes to add] or [has added]] Subpart [] to Part 272 of Title 40 of the CFR. Subpart [] has previously been reserved for [insert State name]. [[As proposed, section, or [Section]] 272.____ 1(a)(1) [[will codify for enforcement purposes or [codifies for enforcement purposes]] the State statutes and regulations, the Memorandum of Agreement, the Attorney General's Statement and the Program Description which are authorized and made part of the hazardous waste management program under Subtitle C of RCRA.

The Agency retains the authority under Sections 3008, 3013 and 7003 of RCRA to undertake enforcement actions in authorized States. With respect to such an enforcement action, the Agency will rely on Federal sanctions, Federal inspection authorities and the Federal Administrative Procedure Act rather than the State authorized analogs to these requirements. Therefore, the Agency does not intend to codify for purposes of enforcement such particular, authorized [insert State name] enforcement authorities. [Proposed] [S]ection 272.____ 1(a)(2) lists those authorized [insert State name] authorities that would fall into this category.

The public also needs to be aware that some provisions of the State's hazardous waste management program are not part of the Federally authorized State program. These non-authorized provisions are not part of the RCRA Subtitle C program because they are "broader in scope" than RCRA Subtitle C. See 40 CFR §271.1(i). As a result, State provisions which are "broader in scope" than the Federal program are not codified for purposes of enforcement in Part 272. Section 272.____ 1(a)(3) of the [proposed] codification simply lists for reference and clarity the [insert State name] statutory and regulatory provisions which are "broader in scope" than the Federal program and which are not, therefore, part of the authorized program [[proposed for codification] or [being codified]

today]]. "Broader in scope" provisions will not be enforced by EPA; the State, however, will continue to enforce such provisions.

As noted above, the Agency is not [[proposing to amend] or [amending]] Part 272 to include HSWA requirements and prohibitions that are immediately effective in [insert State name] and other States. Section 3006(g) of RCRA provides that any requirement or prohibition of HSWA (including implementing regulations) takes effect in authorized States at the same time that it takes effect in non-authorized States. Thus, EPA has immediate authority to implement a HSWA requirement or prohibition once it is effective. A HSWA requirement or prohibition supercedes any less stringent or inconsistent State provision which may have been previously authorized by EPA. (See 50 FR 28702, July 15, 1985.) Because of the vast number of HSWA statutory and regulatory requirements taking effect over the next few years, EPA expects that many previously authorized and codified State provisions will be affected. The States are required to revise their programs to adopt the HSWA requirements and prohibition by the deadlines set forth in 40 CFR §271.21, and then to seek authorization for those revisions pursuant to §271. EPA expects that the States will be modifying their programs substantially and repeatedly. In general, persons wanting to know whether a HSWA requirement or prohibition is in effect should refer to 40 CFR 271.1(j), as amended, which lists each such provision.

The codification of State authorized programs in the CFR should substantially enhance the public's ability to discern the current status of the authorized State program and clarify the extent of Federal enforcement authority. This will be particularly true as more State program revisions to adopt HSWA provisions are authorized.

Certification Under The Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this action will not have a significant economic impact on a substantial number of small entities. It [[proposes to codify] or [codifies]] the decision already made to authorize the [insert State name] program and has no separate effect on handlers of hazardous waste in the State or upon small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 et. seq., Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

List of Subjects in 40 CFR Part 272

Administrative practice and procedure, Confidential business information, Hazardous waste transportation, Hazardous waste, Incorporation by reference, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Dated:

Regional Administrator

For the reasons set forth in the preamble, 40 CFR Part 272 is [proposed to be] revised as follows:

PART 272 - APPROVED STATE HAZARDOUS WASTE MANAGEMENT PROGRAMS

1. The authority for Part 272 continues to read as follows:

Authority: Secs. 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

2. The table of contents for Part 272 is revised to read as follows:

SUBPART [insert appropriate letter(s) and appropriate #s - [insert State name]

272._____ State Authorization

272._____1 State-Administered Program: Final Authorization

272._____2 State-Administered Program: Interim Authorization

272._____3 - 272._____ [Reserved]

3. 40 CFR Part 272, Subpart [insert appropriate letter and appropriate #s] is amended to read as follows:

272._____ State Authorization

(a) The State of [insert State name] is authorized to administer and enforce a hazardous waste management program in lieu of the Federal program under Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C. 6921 et. seq., subject to the Hazardous and Solid Waste Amendments of 1984 (HSWA), (Pub. L. 98-616, Nov. 8, 1984), 42 U.S.C. 6926(c) and (g)). The Federal program for which a State may receive authorization is defined in 40 CFR Part 271. The State's program, as administered by the [insert State lead agency] was approved by EPA pursuant to 42 U.S.C. 6926(b) and Part 271 of this Chapter. EPA's approval was effective on [insert appropriate Federal Register reference].

(b) [insert State name] is not authorized to implement any HSWA requirement in lieu of EPA unless EPA has explicitly indicated its intent to allow such action in a Federal Register notice granting [insert State name] authorization.

(c) [insert State name] has primary responsibility for enforcing its hazardous waste program. However, EPA retains the authority to exercise its enforcement authorities under Sections 3007, 3008, 3013, and 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, and 6973, as well as under other Federal laws and regulations.

(d) [insert State name] must revise its approved program to adopt new changes to the Federal Subtitle C program in accordance with Section 3006(b) of RCRA and 40 CFR Part 271, Subpart A. [Insert State name] must seek final authorization for all program revisions pursuant to Section 3006(b) of RCRA, but, on a temporary basis, may seek interim authorization for revisions required by HSWA pursuant to Section 3006(g) of RCRA, 42 U.S.C. 6926(g). If [insert State name] obtains final authorization for the revised requirements pursuant to Section 3006(g), the newly authorized provisions will be listed in 272.____ 1 of this Subpart. If [insert State name] obtains interim authorization for the revised requirements pursuant to Section 3006(g), the newly authorized provisions will be listed in 272.____ 2.

272.____ 1 State-Administered Program: Final Authorization Pursuant to Section 3006(b) of RCRA, 42 U.S.C. 6926(b):

[Insert State name] has final authorization for the following elements submitted to EPA in [insert State name] program application for final authorization and approved for by EPA on _____. [Insert Final Authorization for Base Program and any program revisions].

(a) State Statutes and Regulations. (1) The requirements in the [insert State name] statutes and regulations cited in this paragraph are incorporated by reference and codified as part of the hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et. seq. This incorporation by reference was approved by the Director of the Federal Register on _____.

(i) [Insert reference for statutory authorities that are part of the approved program under RCRA.]

(ii) [Insert reference for hazardous waste rules that are a part of the approved program under RCRA.]

(2) The following statutes and regulations, although not codified herein for enforcement purposes, are part of the authorized State program.

(i) [Insert reference for statutory authorities that are not to be incorporated by reference but are part of the approved program.]

(ii) [Insert reference for regulations that are not to be incorporated by reference but are part of the approved program under RCRA.]

(3) The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the authorized program, and are not codified herein for enforcement purposes.

(i) [Insert statutory provisions, if any, which are broader in scope.]

(ii) [Insert regulatory provisions, if any, which are broader in scope.]

(b) Memorandum of Agreement. The Memorandum of Agreement between EPA Region ____ and the [insert State lead agency], signed by the EPA Regional Administrator on [insert appropriate date] is incorporated by reference and codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et. seq. This incorporation by reference was approved by the Director of the Federal Register on _____.

(c) Statement of Legal Authority. [(1)] "Attorney General's Statement for Final Authorization", signed by the Attorney General of [insert State name] on [insert appropriate date] is incorporated by reference and codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et. seq. This incorporation by reference was approved by the Director of the Federal Register on _____.

[(2)] Letter from the Attorney General of [insert State name] to EPA, [insert appropriate date].

(d) Program Description. The Program Description and any other materials submitted as part of the original application or as supplements thereto. This incorporation by reference was approved by the Director of the Federal Register on _____.

272.____ 2 State-Administered Program: Interim Authorization. [Insert paragraph similar to 272.____ 1 above. These paragraphs will reflect approved program revisions for interim authorization.]

MODEL H

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 272

HAZARDOUS WASTE MANAGEMENT PROGRAM: CODIFICATION OF APPROVED
STATE HAZARDOUS WASTE PROGRAM FOR [insert name of State]

AGENCY: Environmental Protection Agency

ACTION: Immediate Final Rule

SUMMARY: The Resource Conservation and Recovery Act of 1976 as amended (RCRA) authorizes the U.S. Environmental Protection Agency (EPA) to grant Final Authorization to States to operate their hazardous waste management programs in lieu of the Federal program. 40 CFR Part 272 codifies EPA's prior authorization of State programs and incorporates by reference those provisions of the State statutes and regulations that EPA will enforce under RCRA Section 3008. Thus, EPA intends to codify the [insert State name] authorized State program in Part 272.

DATES: The codification of [insert State's name] authorized hazardous waste program shall be effective [insert date 60 days after publication] unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on the [insert State name] authorized program codification must be received by the close of business [insert date 30 days after publication].

ADDRESSES: Written comments should be sent to [insert name, address, and telephone number of the appropriate Regional contact].

FOR FURTHER INFORMATION CONTACT: [Insert name, address, and telephone number of the appropriate Regional contact].

SUPPLEMENTARY INFORMATION:**Background**

Section 3006 of the Resource Conservation and Recovery Act of 1976, as amended, (RCRA), 42 U.S.C. 6926 et. seq., allows the U.S. Environmental Protection Agency (EPA) to authorize State hazardous waste programs to operate in the State in lieu of the Federal hazardous waste program. On [insert date of final determination], EPA published a Federal Register notice announcing its decision to grant final authorization to [insert State name]. (See ____ FR ____.) [If applicable describe program revisions for which State is authorized].

Since that time, EPA has decided to codify its approval of State programs in Part 272 of Title 40, Code of Federal Regulations (CFR) and to incorporate by reference therein the State statutes and regulations that EPA will enforce under Section 3008 of RCRA. The intended codification reflects the State program that was in effect when EPA granted [insert State name] final authorization under Section 3006(b) for its hazardous waste program [and authorized revisions thereto].

This effort will provide clearer notice to the public of the scope of the authorized program in each State. Such notice is particularly important in light of the Hazardous and Solid Waste Act Amendments of 1984 (HSWA), Pub. L. 98-618. Revisions to State hazardous waste programs are necessary when Federal statutory or regulatory authority is modified. Because HSWA extensively amended RCRA, State programs must be modified to reflect those amendments. By codifying the authorized [insert State name] program and by amending the Code of Federal Regulations whenever a new or different set of requirements is authorized in [insert State name], the status of Federally approved requirements of the [insert State name] program will be readily discernible.

The Agency will only codify for enforcement purposes those provisions of the [insert State name] hazardous waste management program for which authorization approval has been granted by EPA. Concerning HSWA, some State requirements may be similar to HSWA requirements that are in effect under Federal statutory authority in that State. However, a State's HSWA-type requirements are not authorized and will not be codified into the CFR until the Regional Administrator publishes his final decision to authorize the State for specific HSWA requirements. Until such time, EPA will enforce the HSWA requirements and not the State analogs.

To codify the [insert State name] authorized hazardous waste program, EPA intends to add Subpart [] to Part 272 of Title 40 of the CFR. Subpart [] has previously been reserved for [insert State name]. Section 272.____ 1(a)(1) intends to codify for enforcement purposes the State statutes and regulations, the Memorandum of Agreement, the Attorney General's Statement and the Program Description which are authorized and made part of the hazardous waste management program under Subtitle C of RCRA.

The Agency retains the authority under Sections 3008, 3013 and 7003 of RCRA to undertake enforcement actions in authorized States. With respect to such an enforcement action, the Agency will rely on Federal sanctions, Federal inspection authorities and the Federal Administrative Procedure Act rather than the State authorized analogs to these requirements. Therefore, the Agency does not intend to codify for purposes of enforcement such particular, authorized [insert State name] enforcement authorities. Section 272.____ 1(a)(2) lists those authorized [insert State name] authorities that would fall into this category.

The public also needs to be aware that some provisions of the State's hazardous waste management program are not part of the Federally authorized State program. These non-authorized provisions are not part of the RCRA Subtitle C program because they are "broader in scope" than RCRA Subtitle C. See 40 CFR §271.1(i). As a result, State provisions which are "broader in scope" than the Federal program are not codified for purposes of enforcement in Part 272. Section 272.____ 1(a)(3) of the intended codification simply lists for reference and clarity the [insert State name] statutory and regulatory provisions which are "broader in scope" than the Federal program and which are not, therefore, part of the authorized program being codified. "Broader in scope" provisions will not be enforced by EPA; the State, however, will continue to enforce such provisions.

As noted above, the Agency is not amending Part 272 to include HSWA requirements and prohibitions that are immediately effective in [insert State name] and other States. Section 3006(g) of RCRA provides that any requirement or prohibition of HSWA (including implementing regulations) takes effect in authorized States at the same time that it takes effect in non-authorized States. Thus, EPA has immediate authority

to implement a HSWA requirement or prohibition once it is effective. A HSWA requirement or prohibition supercedes any less stringent or inconsistent State provision which may have been previously authorized by EPA. (See 50 FR 28702, July 15, 1985.) Because of the vast number of HSWA statutory and regulatory requirements taking effect over the next few years, EPA expects that many previously authorized and codified State provisions will be affected. The States are required to revise their programs to adopt the HSWA requirements and prohibition by the deadlines set forth in 40 CFR §271.21, and then to seek authorization for those revisions pursuant to §271. EPA expects that the States will be modifying their programs substantially and repeatedly. In general, persons wanting to know whether a HSWA requirement or prohibition is in effect should refer to 40 CFR 271.1(j), as amended, which lists each such provision.

The codification of State authorized programs in the CFR should substantially enhance the public's ability to discern the current status of the authorized State program and clarify the extent of Federal enforcement authority. This will be particularly true as more State program revisions to adopt HSWA provisions are authorized.

Certification Under The Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this action will not have a significant economic impact on a substantial number of small entities. It intends to codify the decision already made to authorize the [insert State name] program and has no separate effect on handlers of hazardous waste in the State or upon small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 et. seq., Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

List Of Subjects In 40 CFR Part 272

Administrative practice and procedure, Confidential business information,
Hazardous waste transportation, Hazardous waste, Incorporation by reference, Indian
lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements,
Water pollution control, Water supply.

Dated:

Regional Administrator

For the reasons set forth in the preamble, 40 CFR Part 272 is intended to be revised as follows:

PART 272 - APPROVED STATE HAZARDOUS WASTE MANAGEMENT PROGRAMS

1. The authority for Part 272 continues to read as follows:

Authority: Secs. 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

2. The table of contents for Part 272 is revised to read as follows:

SUBPART [insert appropriate letter(s) and appropriate #s] - [insert State name]

272.____ State Authorization

272.____1 State-Administered Program: Final Authorization

272.____2 State-Administered Program: Interim Authorization

272.____3 - 272.____ [Reserved]

3. 40 CFR Part 272, Subpart [insert appropriate letter and appropriate #s] is amended to read as follows:

272.____ State Authorization

(a) The State of [insert State name] is authorized to administer and enforce a hazardous waste management program in lieu of the Federal program under Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C. 6921 et. seq., subject to the Hazardous and Solid Waste Amendments of 1984 (HSWA), (Pub. L 98-616, Nov. 8, 1984), 42 U.S.C. 6926(c) and (g)). The Federal program for which a State may receive authorization is defined in 40 CFR Part 271. The State's program, as administered by the [insert State lead agency] was approved by EPA pursuant to 42 U.S.C. 6926(b) and Part 271 of this Chapter. EPA's approval was effective on [insert appropriate Federal Register reference].

(b) [Insert State name] is not authorized to implement any HSWA requirements in lieu of EPA unless EPA has explicitly indicated its intent to allow such action in a Federal Register notice granting [insert State name] authorization.

(c) [Insert State name] has primary responsibility for enforcing its hazardous waste program. However, EPA retains the authority to exercise its enforcement

authorities under Sections 3007, 3008, 3013, and 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, and 6973, as well as under other Federal laws and regulations.

(d) [Insert State name] must revise its approved program to adopt new changes to the Federal Subtitle C program in accordance with Section 3006(b) of RCRA and 40 CFR Part 271, Subpart A. [Insert State name] must seek final authorization for all program revisions pursuant to Section 3006(b) of RCRA, but, on a temporary basis, may seek interim authorization for revisions required by HSWA pursuant to Section 3006(g) of RCRA, 42 U.S.C. 6926(g). If [insert State name] obtains final authorization for the revised requirements pursuant to Section 3006(g), the newly authorized provisions will be listed in 272.____ 1 of this Subpart. If [insert State name] obtains interim authorization for the revised requirements pursuant to Section 3006(g), the newly authorized provisions will be listed in 272.____ 2.

272.____ 1 State-Administered Program: Final Authorization Pursuant to Section 3006(b) of RCRA, 42 U.S.C. 6926(b):

[insert State name] has final authorization for the following elements submitted to EPA in [insert State name] program application for final authorization and approved for by EPA on _____. [Insert Final Authorization for Base Program and any program revisions].

(a) State Statutes and Regulations. (1) The requirements in the [insert State name] statutes and regulations cited in this paragraph are incorporated by reference and codified as part of the hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et. seq. This incorporation by reference was approved by the director of the Federal Register on _____.

(i) [Insert reference for statutory authorities that are part of the approved program under RCRA.]

(ii) [Insert reference for hazardous waste rules that are a part of the approved program under RCRA.]

(2) The following statutes and regulations, although not codified herein for enforcement purposes, are part of the authorized State program.

(i) [Insert reference for statutory authorities that are not to be incorporated by reference but are part of the approved program.]

(ii) [Insert reference for regulations that are not to be incorporated by reference but are part of the approved program under RCRA.]

(3) The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the authorized program, and not codified herein for enforcement purposes.

(i) [Insert statutory provisions, if any, which are broader in scope.]

(ii) [Insert regulatory provisions, if any, which are broader in scope.]

(b) Memorandum of Agreement. The Memorandum of Agreement between EPA Region ____ and the [insert State lead agency], signed by the EPA Regional Administrator on [insert appropriate date] is incorporated by reference and codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et. seq. This incorporation by reference was approved by the Director of the Federal Register on _____.

(c) Statement of Legal Authority. [(1)] "Attorney General's Statement for Final Authorization", signed by the Attorney General of [insert State name] on [insert appropriate date] is incorporated by reference and codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et. seq. This incorporation by reference was approved by the Director of the Federal Register on _____.

[(2)] Letter from the Attorney General of [insert State name] to EPA, [insert appropriate date].

(d) Program Description. The Program Description and any other materials submitted as part of the original application or as supplements thereto. This incorporation by reference was approved by the Director of the Federal Register on _____.

272.____ 2 State-Administered Program: Interim Authorization. [Insert paragraph similar to 272.____ 1 above. These paragraphs will reflect approved program revisions for interim authorization.]

ATTACHMENT C

Revised Pages for Existing Checklists

The following pages replace pages A-56 and A-57 of Checklist IV B.

(Note: No changes were made to page A-57; it was included for
convenience in case your version of this checklist
has two-sided copying.)

CHECKLIST IV B (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY STATUTE REGULATION	IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
use of multiple financial mechanisms	265.145(f)		
use of a financial mechanism for multiple facilities	265.145(g)		
release of o/o from the requirements of this section	265.145(h)		
USE OF A MECHANISM FOR FINANCIAL ASSURANCE OF BOTH CLOSURE AND POST-CLOSURE CARE			
funds must be equal to sum if separate mechanisms used	265.146(a)		
LIABILITY REQUIREMENTS			
coverage for sudden accidental occurrences	265.147(a)		
coverage for non-sudden accidental occurrences	265.147(b)		
request for variance	265.147(c)		
adjustments by the Director	265.147(d)		
period of coverage	265.147(e)		
financial test for liability	265.147(f)		
endorsement/certificate option expires 10/16/82	265.147(g)	N/A —	
INCAPACITY OF O/O, GUARANTORS, OR FINANCIAL INSTITUTIONS			
incapacity of o/o or guarantor	265.148(a)		
incapacity of financial institution	265.148(b)		

CHECKLIST IV B (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY STATUTE REGULATION	IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
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SUBPART I - USE AND MANAGEMENT OF CONTAINERS

APPLICABILITY

storage

265.170

CONDITION OF CONTAINERS

action when not good

265.171

COMPATIBILITY OF WASTE WITH CONTAINER

requirement

265.172

MANAGEMENT OF CONTAINERS

kept closed

265.173(a)

handled with care

265.173(b)

INSPECTIONS

required

265.174

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

distance to property
line

265.176

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

same container

265.177(a)

unwashed container

265.177(b)

separation/protection

265.177(c)

SUBPART J - TANKS

APPLICABILITY

treatment or storage

265.190

GENERAL OPERATING REQUIREMENTS

compliance with
265.17(b)

265.192(a)

The following pages should replace pages 3 and 4 of
Revision Checklist 13.

(Note: No changes were made to page 4; it was included for
convenience in case your version of this checklist
has two-sided copying.)

RCRA REVISION CHECKLIST: Definition of Solid Waste (cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
not solid waste				
† when recycled	261.2(e)			
documentation	261.2(f)			
† DEFINITION OF HAZARDOUS WASTE				
(1) generated for treatment	261.3(c)(2)			
† EXCLUSIONS				
(1) black liquor	261.4(a)(6)			
spent sulfuric acid	261.4(a)(7)			
† SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY SMALL QUANTITY GENERATORS				
(1) quantity determination	261.5(c)			
REQUIREMENTS FOR RECYCLABLE MATERIALS				
recyclable materials	261.6(a)(1)			
regulated under Part 266	261.6(a)(2)			
(2) exemption from rule	261.6(a)(3)			
generators and transporters	261.6(b)			
(2) recycling facilities	261.6(c)			

SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTE FROM NONSPECIFIC SOURCES

generic listings

261.31

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, etc.

introductory text

261.33

(1) Also see technical correction to the rule at 50 FR 14216 (April 11, 1985).

(2) Also see technical correction to the rule at 50 FR 33542 (August 20, 1985).

RCRA REVISION CHECKLIST: Definition of Solid Waste (cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 264 - FACILITY REQUIREMENTS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

exemption from rule

264.1(g)(2)

SUBPART O - INCINERATORS

APPLICABILITY

owners and operators
with exception

264.340(a)

PART 265 - FACILITY INTERIM STANDARDS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

exemption from rule

265.1(c)(6)

SUBPART O - INCINERATORS

APPLICABILITY

owners and operators
with exception

265.340(a)

SUBPART D - THERMAL TREATMENT

OTHER THERMAL TREATMENT

thermal treatment

265.370

The following pages should replace pages 1 and 2 of
Revision Checklist 21.

(Note: No changes were made to page 2; it was included for
convenience in case your version of this checklist
has two-sided copying.)

OSWER POLICY DIRECTIVE #9541.00-11
RCRA REVISION CHECKLIST 21

Listing of EDB Wastes
51 FR 5330
February 13, 1986

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM F REQUIREMENT. EXPLAIN
		STATUTE	REGULATION	

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTING OF HAZARDOUS WASTE

WASTE FROM SPECIFIC SOURCES

list of "K" waste	261.32			
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§261.32 - Hazardous waste from specific sources

EPA hazardous waste No.	Hazardous Waste	Haza Cod
----------------------------	-----------------	-------------

(Organic Chemicals)

K117.....	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T
K118.....	Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T

APPENDIX III TO PART 261

add compound	Appendix III		
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Compound	Method No.
----------	------------

Ethylene dibromide.....8010, 8240

RCRA REVISION CHECKLIST: EDB Waste Listing

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

APPENDIX VII TO PART 261

hazardous constituents	Appendix VII		
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EPA hazardous waste No.	Hazardous constituents for which listed
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K117.....	Ethylene Dibromide
K118.....	Ethylene Dibromide
K136.....	Ethylene Dibromide

The following pages should replace pages 1 and 2 of
Revision Checklist 22.

(Note: No changes were made to page 2; it was included for
convenience in case your version of this checklist has
two-sided copying.)

Listing of Four Spent Solvents

51 FR 6541

February 25, 1986

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

WASTES FROM NON-SPECIFIC SOURCES

list of "F" wastes 261.31

§261.31 - Hazardous waste from non-specific sources

EPA Hazardous

Hazard

Waste No.

Hazardous Waste

Code

F002..... The following spent halogenated solvents: tetrachloroethylene, (T)
 methylene chloride, trichloroethylene 1,1,1-trichloroethane,
 chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-
 dichlorobenzene, trichlorofluoromethane, and 1,1,2-trichloro-
 ethane; all spent solvent mixtures/blends containing, before
 use, a total of ten percent or more (by volume) of one or more
 of the above halogenated solvents or those listed in F001, F004,
 or F005; and still bottoms from the recovery of these spent
 solvents and spent solvent mixtures.

F005... The following spent non-halogenated solvents: toluene, methyl (I.T)
 ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene,
 2-ethoxyethanol, and 2-nitropropane; all spent solvent mixtures/
 blends containing, before use, a total of ten percent or more
 (by volume) of one or more of the above non-halogenated solvents
 or those solvents listed in F001, F002, or F004; and still
 bottoms from the recovery of these spent solvents and spent
 solvent mixtures.

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.

toxic "U" waste 261.33(f)

§261.33(f)

EPA Hazardous

Waste No.

Substance

(add the following compounds in alphabetical order)

U359.....2-Ethoxyethanol

U359.....Ethylene glycol monoethyl ether

RCRA REVISION CHECKLIST: Listing of Four Spent Solvents (Cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
EPA Hazardous Waste No.		Substance(con't)		

(change both entries for Hazardous Waste No. U171)

from "2-Nitropropane (I)" to "2-Nitropropane (I,T)"; and
from "Propane, 2-nitro- (I)" to "Propane, 2-nitro- (I,T)"

APPENDIX III to Part 261

add constituents to Table 1	Appendix III		
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Table 1

Compound	Method Numbers
2-Ethoxyethanol.....	8030, 8240
2-Nitropropane.	8030, 8240

APPENDIX VII TO PART 261

hazardous constituents	Appendix VII		
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Appendix VII

EPA Hazardous

Waste No.

Hazardous constituents for which listed

F002 Tetrachloroethylene, methylene chloride, trichloroethylene,
1,1,1-trichloroethane, 1,1,2-trichloroethane, chlorobenzene,
1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene,
trichlorofluoromethane.

F005.....Toluene, methyl ethyl ketone, carbon disulfide, isobutanol,
pyridine, 2-ethoxyethanol, benzene, 2-nitropropane.

APPENDIX VIII TO PART 261

3 new constituents	Appendix VIII		
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Ethylene glycol monoethyl ether
(Ethanol, 2-ethoxy)
2-Nitropropane (Propane, 2-nitro)

The following pages should replace pages 1 and 2 of
Revision Checklist 23.

(Note: No changes were made to page 2; it was included for
convenience in case your version of this checklist
has two-sided copying.)

RCRA REVISION CHECKLIST 23

Generators of 100 to 1000 kg Hazardous Waste

51 FR 10174-10176

March 24, 1986

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

small quantity generators	260.10			
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PART 261 - IDENTIFICATION AND LISTING OF HW

SUBPART A - GENERAL

PURPOSE AND SCOPE

subpart A scope	261.1(a)(1)			
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SPECIAL REQUIREMENTS FOR HW GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS

conditionally exempt generators	261.5(a)			
exceptions	261.5(b)			
quantity determination	261.5(c)			
quantity exclusions	261.5(d)			
acutely hazardous	261.5(e)			
accumulation	261.5(f)			
requirements to be conditionally exempt	261.5(g)			
mixing with non-hazardous waste	261.5(h)			
mixtures that exceed exclusion level	261.5(i)			
mixtures with used oil	261.5(j)			
remove paragraph	261.5(k)			

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SUBPART D - LISTS OF HAZARDOUS WASTE

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.

introductory text

261.33(f)

PART 262 - GENERATOR REQUIREMENTS

SUBPART B - THE MANIFEST

GENERAL REQUIREMENTS

100 to 1000kg
exemption

262.20(e)

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

introductory text

262.34(a)

100 to 1000kg and
accumulation of 180 days

262.34(d)

200 miles transport
and 270 day accumulation

262.34(e)

6000kg or 180 days

262.34(f)

SUBPART D - RECORDKEEPING AND REPORTING

SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 and 1000kg/MO.

special requirements

262.44

PART 263 - TRANSPORTER REQUIREMENTS

SUBPART B - COMPLIANCE WITH THE MANIFEST SYSTEM AND RECORDKEEPING

MANIFEST SYSTEM

applicability of
100 to 1000kg

263.20(h)

The following pages should replace pages 1 through 10
of Revision Checklist 28.

RCRA REVISION CHECKLIST 28

Standards for Hazardous Waste Storage and Treatment Tank Systems

51 FR 25470-25486

July 14, 1986

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

NOTE: Additional interpretation, clarification, and correction of typographical errors relative to this Revision Checklist 28 are subsequently addressed by Revision Checklist 52 (September 2, 1988, 53 FR 34079). States are encouraged to consider the changes associated with Revision Checklist 52 when implementing the changes addressed by Revision Checklist 28.

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

DEFINITIONS

1	"aboveground tank"	260.10		
1	"ancillary equipment"	260.10		
1	"component"	260.10		
1	"corrosion expert"	260.10		
1	"existing tank system" or "existing component"	260.10		
1	"inground tank"	260.10		
1	"installation inspector"	260.10		
1	"leak detection system"	260.10		
1	"new tank system"	260.10		
1	"onground tank"	260.10		
1	"sump"	260.10		
1	"tank system"	260.10		
1	"underground tank"	260.10		
1	"unfit-for-use tank system"	260.10		
1	"zone of engineering control"	260.10		

- 1 These regulations implement HSWA only to the extent that they apply to tank systems owned or operated by small quantity generators, establish leak detection requirements for all new underground tank systems, and establish permitting standards for underground tank systems that cannot be entered for inspection. They also implement RCRA insofar as they apply to certain other tank systems. It is recommended that States seek program modification for the rules promulgated under both RCRA authority and HSWA authority by the deadline for non-HSWA Cluster III (7/1/88).

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

† EXCLUSIONS

Secondary materials re-claimed or returned to process	261.4(a)(8)		
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PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

ACCUMULATION TIME

1 Accumulation on-site	262.34(a)(1)		
Compliance with Subpart I of 265	262.34(d)(2)		
Compliance with Subpart J of 265	262.34(d)(3)		

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

GENERAL INSPECTION REQUIREMENTS

Frequency of inspection	264.15(b)(4)		
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OPERATING RECORD

Data requirements	264.73(b)(6)		
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APPLICABILITY

1 Closure & Post-closure compliance w/264.197	264.110(b)(3)		
1 Financ. responsibility compliance w/264.197	264.140(b)(3)		

SUBPART J - TANK SYSTEMS

1 Applicability tank systems used for storing or treating h.w.	264.190		
*1 Exemptions from secondary containment requirements	264.190(a)&(b)		

ASSESSMENT OF EXISTING TANK SYSTEM'S INTEGRITY

*1 Written assessment requirement	264.191(a)		
1 Minimum assessment considerations	264.191(b)		

* See technical corrections of August 15, 1986 (51 FR 29430).

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
ASSESSMENT OF EXISTING TANK SYSTEM'S INTEGRITY (con't)				
I 12 mos. deadline if materials become h.w. after 7/14/86	264.191(c)			
I Tank systems found to be leaking or unfit for use	264.191(d)			
DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS				
I Info. to be included in written assessments for new tanks	264.192(a)			
I New tank installation procedures; inspection requirements	264.192(b)			
I Backfilling requirements for new underground tank systems	264.192(c)			
I Tightness requirement	264.192(d)			
I Protection of ancillary equipment	264.192(e)			
I Corrosion protection requirements	264.192(f)			
I Written statements and certification statements	264.192(g)			
CONTAINMENT AND DETECTION OF RELEASES				
I Schedule for providing secondary containment for tank systems	264.193(a)			
I Min. requirements for secondary systems	264.193(b)			
I Min. spec. of secondary containment	264.193(c)			
I Devices that satisfy the secondary containment requirements	264.193(d)			
I Additional requirements for liner and vault systems, and double-walled tanks	264.193(e)			
I Ancillary equipment must be provided with full secondary containment	264.193(f)			
I Exceptions at 264.193(f)	264.193(f) (1) - (4)			
I Variance requirements	264.193(g)			
I Requirements for addressing releases from tank systems that have obtained variances	264.193(g) (3) and (4)			

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENTS, EXPLAIN
		STATUTE	REGULATION	

CONTAINMENT AND DETECTION OF RELEASES (con't)

1 Procedures for requesting a variance	264.193(h)			
* 1 Requirements for all tank systems until such time as secondary containment is provided	264.193(i)			

GENERAL OPERATING REQUIREMENTS

1 H.W. or treatment reagents not to be placed in tank systems	264.194(a)			
1 Min. controls and practices to prevent spills and overflows	264.194(b)			
1 Requirements if a leak or spill occurs in the tank system	264.194(c)			

INSPECTIONS

1 Schedules & procedure for inspecting overfill controls	264.195(a)			
1 Daily inspection requirements	264.195(b)			
1 Minimum inspection frequency for cathodic protection systems	264.195(c)			
1 Documentation in operating record	264.195(d)			

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

1 Immediate removal (from service) of leaking or unfit-for-use tank systems	264.196			
1 Prevent flows of additional wastes	264.196(a)			
1 Removal of waste from tank system or secondary containment system	264.196(b)			
1 Containment of visible releases to the environment	264.196(c)			
* 1 Notifications/reports	264.196(d)			
1 Prov. of sec. containment, repair, or closure	264.196(e)			
1 Certification closure requirements	264.196(f)			

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

CLOSURE AND POST-CLOSURE CARE

1 General closure requirements	264.197(a)			
1 Specific requirements when contaminated soils cannot practicably be removed or decontaminated; closure as a landfill	264.197(b)			
1 Closure plans and financial responsibility requirements for tank systems w/o secondary containment that fall under §264.193(b)-(f) and are not exempt from secondary containment requirements	264.197(c)			

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

1 Ltd. placement of I or R wastes in tank systems	264.198(a)			
1 Compliance w/maintenance of protective distances	264.198(b)			

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

1 Ltd. placement of incom. wastes in tank systems	264.199(a)			
1 Use of tank system that previously held incom. wastes	264.199(b)			
Remove paragraph	264.200			

PART 265 - INTERIM STANDARDS FOR OWNERS AND OPERATORS**GENERAL WASTE ANALYSIS**

Methods for additional waste analysis	265.13(b)(6)			
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GENERAL INSPECTION REQUIREMENTS

Inspection frequency	265.15(b)(4)			
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OPERATING RECORD

Records & results of analysis & trial tests	265.73(b)(3)			
Monitoring, testing, of analytical data	265.73(b)(6)			

RCRA REVISION CHECKLIST: Storage and Treatment Tank

OSWER POLICY DIRECTIVE #9541.00-11

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

APPLICABILITY

Tank systems which must comply w/landfill requirements	265.110(b)(2)			
1 Financial responsibility requirements	265.140(b)			

SUBPART J - TANK SYSTEMS

APPLICABILITY

Tanks systems used for storing & treating h.w	265.190			
1 Exemptions from secondary containment requirements	265.190(a)&(b)			

ASSESSMENT OF EXISTING TANK SYSTEMS OR COMPONENTS

1 Written assessment requirement	265.191(a)			
1 Min. assessment considerations	265.191(b)			
1 12 mos. deadline for materials which become h.w. after 7/14/86	265.191(c)			
Tank systems found to be leaking or unfit for use	265.191(d)			

DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS

*1 Info. to be included in the written assessment for new underground tank	265.192(a)			
1 New tank installation procedures; inspection requirements	265.192(b)			
1 Backfilling requirements for new underground tank systems	265.192(c)			
1 Tightness requirements	265.192(d)			
1 Protection of ancillary equipment	265.192(e)			
1 Corrosion protection requirements	265.192(f)			
1 Written statements and certification statements	265.192(g)			

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

CONTAINMENT AND DETECTION OF RELEASES

*I Applicability of secondary containment requirements	265.193(a)			
I Minimum requirements for secondary containment systems	265.193(b)			
I Minimum specifications of secondary containment	265.193(c)			
I Devices that secondary containment for tanks must include	265.193(d)			
I Additional requirements for liner and vault systems, and doubled walled tanks	265.193(e)			
I Ancillary equipment must be provided with full secondary containment	265.193(f)			
It Exception to 265.193(f)	265.193(f) (1)-(4)			
*I + Variance requirements	265.193(g)			
I + Procedures for requesting a variance	265.193(h)			
I Requirements for all tanks systems until such time as secondary containment is provided	265.193(i)			

GENERAL OPERATING REQUIREMENTS

I H.W. or treatment reagents not to be placed in tank system	265.194(a)			
I Minimum controls and practices to prevent spills and overflows	265.194(b)			
I Requirements if a leak or spill occurs in the tank system	265.194(c)			

INSPECTIONS

I Daily inspection requirements	265.195(a)			
I Minimum inspection frequency for cathodic protection system	265.195(b)			

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

INSPECTIONS (con't)

Documentation in operating record	265.195(c)			
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RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE TANK SYSTEMS

1 Immediate removal (from service) leaking or unfit-for-use tank systems	265.196			
1 Prevent flow of additional wastes	265.196(a)			
1 Removal of waste from tank system or secondary containment system	265.196(b)			
1 Containment of visible releases to the environment	265.196(c)			
1 Notifications/reports	265.196(d)			
1 Provision of secondary containment, repair, or closure	265.196(e)			
1 Certification of major repairs	265.196(f)			

CLOSURE AND POST-CLOSURE CARE

1 General closure requirements	265.197(a)			
1 Specific requirements when contaminated soils cannot practicably be removed or decontaminated; closure as a landfill	265.197(b)			
1 Requirements for tank systems without secondary containment that fall under §265.193(b)-(f) and are not exempt from secondary containment requirements	265.197(c)			

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

1 Limited placement of I or R wastes in tank systems	265.198(a)			
1 Compliance w/maintenance of protective distance	265.198(b)			

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

1 Limited placement of incompatible wastes in tank systems	265.199(a)			
1 Use of tank system that previously held incompatible wastes	265.199(b)			

WASTE ANALYSIS AND TRIAL TESTS

1 Waste analysis and treatment or storage tests	265.200(a)			
1 Obtain written, documented information on similar waste/operating conditions	265.200(b)			

SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 AND 1000 KG/MO THAT ACCUMULATE HAZARDOUS WASTE IN TANKS

General applicability requirements	265.201(a)			
General operating requirements for generators of between 100 and 1000 kg/mo of h.w.	265.201(b)			
Inspection requirements	265.201(c)			
Closures requirements	265.201(d)			
Special requirements for I. or R wastes	265.201(e)			
Special requirements for incompatible wastes	265.201(f)			

PART 270 - PERMITTING REQUIREMENTS

CONTENTS OF PART B: GENERAL REQUIREMENTS

1 General inspection schedule	270.14(b)(5)			
1 Copies of closure and post-closure plans	270.14(b)(13)			

SPECIFIC PART B INFORMATION REQUIREMENTS FOR TANK SYSTEMS

1 Written certified assessment of each tank system	270.16(a)			
1 Dimensions and capacity of each tank	270.16(b)			

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SPECIFIC PART B INFORMATION REQUIREMENTS FOR TANK SYSTEMS (con't)

1 Description of feed systems, safety cutoff bypass systems, and pressure controls	270.16(c)			
1 Diagram of piping, instrumentation, and process flow for each tank systems	270.16(d)			
*1 Description of external corrosion protection	270.16(e)			
1 Description of new tank installation	270.16(f)			
1 Plans and description of secondary containment systems	270.16(g)			
1 Information requirements for systems for which a variance will be sought	270.16(h)			
1 Description of controls and practices to prevent spills and overflows	270.16(i)			
1 Description of design and operating for tank systems handling ignitable, reactive, or incompatible wastes	270.16(j)			

CHANGES DURING INTERIM STATUS

1 Changes made solely to comply with §265.193 not included under this section	270.72(e)			
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The following pages should replace pages 1 through 5
of Revision Checklist 31.

(Note: Changes were made only to page 1, but the addition
of the special note changed the page ends affecting
all five pages of the checklist.)

RCRA REVISION CHECKLIST 31

Exports of Hazardous Waste

51 FR 28664 - 28686

August 8, 1986

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SPECIAL NOTES: (1) States cannot assume the authority to receive "Notifications of Intent to Export." In addition, States are not authorized to transmit such information to foreign countries through the Department of State or to transmit "Acknowledgments of Consent" (see page 28678 for further clarification). (2) Hazardous waste, identified or listed by the State as part of its authorized program which are broader in scope (not in the Federal universe), will not be subject to the export regulations. (3) EPA moves the farmer exemption from 262.50 to 262.70 in this checklist. However, they fail 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.

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)		

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
transporters used for U.S. shipments	262.41(a)(4)			
description and qty of U.S. shipments	262.41(a)(5)			
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)		

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
EPA notification to receiving and transit countries	262.53(e)			
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	262.54(g)			
manifest copy to Customs Official at Border	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)			

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
INTERNATIONAL AGREEMENTS				
new section reserved	262.58			

SUBPART F - IMPORTS OF HAZARDOUS WASTE

IMPORTS OF HAZARDOUS WASTE

applicability	262.60(a)		
manifest requirements	262.60(b)		4
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 SYSTEM 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)		
variance for rail transporters	263.20(f)(2)		

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
copy to generator	263.20(g)(3)			
copy to Custom official	263.20(g)(4)			

The following pages should replace pages 1 through 6
of Revision Checklist 34.

(Note: Changes were made to only page 1, but the addition
of the second note changed the page ends, such that
the first six pages were affected.)

RCRA REVISION CHECKLIST 34

Land Disposal Restrictions

51 FR 40572-40654

November 7, 1986

as amended on June 4, 1987 52 FR 21010

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

NOTES: 1) The Administrator of EPA is responsible for granting national variances for the effective date of land disposal prohibitions. The procedures for granting the case-by-case extensions are in 40 CFR §268.5. Since the granting of these variances is based on national concerns, States cannot be authorized for this aspect of the program. States should also note that a number of paragraphs addressed by this checklist are superceded by changes made in Revision Checklist 39 (The California List, July 8, 1987, 52 FR 25760). Additionally, the delegability of certain paragraphs have changed in that checklist. Specifically, 268.6, 268.42(b), and 268.44 were made not delegable to the states. Thus, states are not required to adopt these sections when applying for Revision Checklist 34. 2) Revision Checklist 50 (August 17, 1988, 53 FR 31138) amends certain sections of code addressed by Revision Checklist 34, but does not affect the delegability outlined in the previous note.

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

insert "and 268"	260.1(a)		
insert "and 268"	260.1(b)(1)		
insert "and 268"	260.1(b)(2)		
insert "and 268"	260.1(b)(3)		
insert "and 268"	260.1(b)(4)		

AVAILABILITY OF INFORMATION; CONFIDENTIALITY OF INFORMATION

insert "and 268"	260.2(a)		
insert "and 268"	260.2(b)		

USE OF NUMBER AND GENDER

insert "and 268"	260.3		
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RCRA REVISION CHECKLIST 34: Land Disposal Restrictions (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SUBPART B - DEFINITIONS

DEFINITIONS

insert "and 268"	260.10		
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SUBPART C - RULEMAKING PETITIONS

GENERAL

+ insert "and 268"	260.20(a)		
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE AND SCOPE

insert "268,"	261.1(a)		
insert ",268"	261.1(a)(1)		

EXCLUSIONS

insert "268,"	261.4(c)		
remove "267"			
insert "268"	261.4(d)(1)		

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

insert ",268,"	261.5(b)		
insert ",268,"	261.5(c)		
insert ",268,"	261.5(e)		
insert ",268,"	261.5(f)(2)		
insert ",268,"	261.5(g)(2)		

REQUIREMENTS FOR RECYCLABLE MATERIALS

insert "268,"	261.6(a)(3)		
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RCRA REVISION CHECKLIST 34: Land Disposal Restrictions (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
insert "268,"	261.6(c)(1)			

RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS

insert "268,"	261.7(a)(1)(ii)		
insert "268,"	261.7(a)(2)(ii)		

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

GENERAL

insert "268,"	261.20(b)		
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SUBPART D - LISTS OF HAZARDOUS WASTES

GENERAL

insert "268,"	261.30(c)		
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PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A - GENERAL

HAZARDOUS WASTE DETERMINATION

reference to exclusions/ restrictions	262.11(d)		
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PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART A - GENERAL

TRANSFER FACILITY REQUIREMENTS

insert ",268"	263.12		
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PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT
STORAGE AND DISPOSAL FACILITIES

RCRA REVISION CHECKLIST 34: Land Disposal Restrictions (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

(1) facilities to which Part 264 applies	264.1(h)			
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SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

(1) insert "Part 268"	264.13(a)(1)			
insert "268.7"	264.13(b)(6)			
exempted surface impoundment plan specifications	264.13(b)(7)			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

(1) add "268.4(a)" and "268.7"	264.73(b)(3)			
land disposal units under an extension or petition and notice by generator under §268.7(a)(3)	264.73(b)(10)			
off-site treatment facility	264.73(b)(11)			
on-site treatment facility	264.73(b)(12)			
off-site land disposal facility	264.73(b)(13)			
(1) on-site land disposal facility	264.73(b)(14)			

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

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

- (1) Also see technical correction to the rule at 52 FR 21010 (June 4, 1987).

RCRA REVISION CHECKLIST 34: Land Disposal Restrictions (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
facilities to which Part 265 applies	265.1(e)			

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

insert "Part 268"	265.13(a)(1)		
insert "268.7"	265.13(b)(6)		
exempt surface impoundment plan specifications	265.13(b)(7)		

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

add "268.4(a)" and "268.7"	265.73(b)(3)		
land disposal units under an extension or petition	265.73(b)(8)		
off-site treatment facility	265.73(b)(9)		
on-site treatment facility	265.73(b)(10)		
off-site land disposal facility	265.73(b)(11)		
on-site land disposal facility	265.73(b)(12)		

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

purpose	268.1(a)		
applicability	268.1(b)		
+ conditions for continued land disposal	268.1(c)		

RCRA REVISION CHECKLIST 34: Land Disposal Restrictions (continued)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
(1) persons with an extension	268.1(c)(1)			
(1) persons with an exemption	268.1(c)(2)			
(1) CERCLA/corrective action	268.1(c)(3)			
(1) waste from small quantity generators <100 kg/mo as defined in 261.5	268.1(c)(4)			
DEFINITIONS APPLICABLE TO THIS PART				
"hazardous constituent or constituents"	268.2(a)			
(1) "land disposal"	268.2(a)			
all other terms	268.2(b)			
DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT				
dilution not substitute for treatment	268.3			
+ TREATMENT SURFACE IMPOUNDMENT EXEMPTION				
(1) exempt treatment surface impoundments	268.4(a)			
(1) treatment in impoundments	268.4(a)(1)			
sampling, operating, waste removal and waste handling procedures	268.4(a)(2)			
(1) design requirements/exemptions	268.4(a)(3)			
exempt under 264.221(d),(e) or 265.221(c),(d)	268.4(a)(3)(i)			
(1) meets §3005(J)(2)	268.4(a)(3)(ii)			
(1) satisfies §3005(J)(11)	268.4(a)(3)(iii)			
(1) no migration written certification	268.4(a)(4)			

(1) Also see technical correction to the rule at 52 FR 21010 (June 4, 1987).

The following page should replace page 1 of
Revision Checklist 39.

RCRA REVISION CHECKLIST 39

California List Waste Restrictions

52 FR 25759-25792

July 8, 1987

as amended on October 27, 1987, 52 FR 41295-41296

(HSA Cluster II)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

NOTES: 1) The Agency is solely responsible for granting a national capacity variance to the prohibition effective date under 268.32. The procedures for granting case by case extensions are found in 268.5. Therefore, states cannot be authorized for this aspect of the program. Similarly, variances under 268.42(b) and 268.44 for waste-specific variances from a treatment standard are not delegable to the states. (Note: 268.44 is not addressed by this checklist, but is addressed by Revision Checklist 34. The Federal Register (November 4, 1986, FR 40572) addressed by Revision Checklist 34 implied that this section was delegable. However, the preamble to this present checklist changed the delegability of this section, so that it is not delegable.)

Under 268.6, EPA may grant petitions of specific duration to allow land disposal of certain hazardous wastes provided certain criteria are met. States that have the authority to impose land disposal prohibitions may ultimately be authorized under RCRA Section 3006 to grant petitions for such exemptions. However, because the Agency expects few such petitions, EPA is currently requiring that these petitions be handled at EPA headquarters. (Note: This is a change from the November 7, 1986, FR 40572 addressed by Revision Checklist 34.)

2) Revision Checklist 50 (August 17, 1988, 53 FR 31138) amends certain sections of code addressed by Revision Checklist 39, but does not affect the delegability outlined in the previous note.

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

REFERENCES

(1) Parts 260 through 270	260.11(a)		
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PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART G - FARMERS

FARMERS

(1) See amendment to rule at 52 FR 41295 (October 27, 1987).

The following page should replace page 1 of
Revision Checklist 46

RCRA REVISION CHECKLIST 46

Technical corrections; Identification and Listing
of Hazardous Waste
53 FR 13382-13393
April 22, 1988
(non-HSWA Cluster III)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

NOTE: This checklist makes technical corrections to the lists of commercial chemical products that are hazardous wastes when discarded [40 CFR 261.33(e) and (f)] and to the list of hazardous constituents (Appendix VIII of 40 CFR Part 261). Because these same lists are also addressed by Revision Checklist 29, states are advised to follow this checklist rather than Checklist 29 when revising their code, in order to avoid two separate revisions. The present checklist was placed in non-HSWA Cluster III because the checklist it corrects is in this cluster. Because this cluster is already closed, states should adopt these changes as soon as possible.

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

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

correct specific listings			261.33(e)		
Haz. waste No.	Chem. abstracts No.	Substance	Haz. waste No.	Chem. abstracts No.	Substance
P023	107-20-0	Acetaldehyde, chloro-	P025	30198-18-4	2-Butanone, 3,3-dimethyl-1-(methoxymethyl)-, O-(methoxymethylcarbonyl) isomer
P022	591-08-2	Acetamide, N-(methoxymethyl)-	P021	582-61-8	Calcium cyanide
P057	640-18-7	Acetamide, 2-fluoro-	P021	582-61-8	Calcium cyanide Ca(CN) ₂
P058	62-74-8	Acetic acid, fluoro-, sodium salt	P022	75-15-0	Carbon disulfide
P002	591-08-2	1-Acetyl-2-thiourea	P026	75-44-5	Carbonic disulfide
P003	107-02-8	Acrolein	P023	107-20-0	Chloroacetaldehyde
P070	116-06-3	Aldicarb	P024	108-47-8	p-Chloroaniline
P004	309-00-2	Aldrin	P026	5344-82-1	1-(o-Chlorophenyl)thiourea
P005	107-18-6	Allyl alcohol	P027	542-76-7	3-Chloropropionitrile
P006	20859-73-8	Aluminum phosphide (P ₄)	P029	544-82-3	Copper cyanide
P007	2763-96-4	5-(Aminomethyl)-3-oxazolid	P029	544-82-3	Copper cyanide Cu(CN)
P008	504-24-5	4-Aminopyridine	P030		Cyanides (soluble cyanide salts), not otherwise specified
P009	131-74-8	Ammonium picrate (R)	P031	480-19-5	Cyanogen
P119	7803-55-6	Ammonium vanadate	P033	508-77-4	Cyanogen chloride
P099	506-61-6	Argentate(1-), bis(cyano-C), potassium	P033	508-77-4	Cyanogen chloride (CN) ₂
P010	7778-39-4	Arsenic acid H ₃ AsO ₄	P034	131-68-6	2-Cyclohexyl-4,8-dimethoxyphenol
P012	1327-53-3	Arsenic oxide As ₂ O ₃	P016	543-88-1	Dichloromethyl ether
P011	1303-28-2	Arsenic oxide As ₂ O ₃	P028	688-29-6	Dichlorophenylsulfone
P011	1303-28-2	Arsenic pentoxide	P027	88-67-1	Dieldrin
P012	1327-53-3	Arsenic trioxide	P028	683-43-2	Dieldrin
P038	692-42-2	Arsine, diethyl-	P021	311-46-8	Diethyl-p-nitrophenyl phosphite
P036	696-28-6	Arsinous dichloride, phenyl-	P048	287-67-8	O,O-Diethyl O-glycidyl phosphorothioate
P054	151-56-4	Azobenzene	P042	56-61-4	Diisopropylphosphorothioate (DIP)
P067	75-55-8	Azobenzene, 2-methyl-	P044	388-00-2	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5alpha,8alpha,8beta)-
P013	542-62-1	Barium cyanide	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P024	108-47-8	Benzonitrile, 4-chloro-	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P077	100-01-6	Benzonitrile, 4-nitro-	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P028	100-44-7	Benzene, (chloromethyl)-	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P042	51-43-4	1,2-Benzenediol, 4-(1-hydroxy-2-(methylamino)ethyl)- (R)	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P045	122-09-8	Benzonitrile, alpha, alpha-dimethyl-	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P014	106-98-5	Benzonitrile	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P001	81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, 8 salts, when present at concentrations greater than 0.3%	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P026	100-44-7	Benzyl chloride	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P015	7440-41-7	Beryllium	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P017	598-31-2	Bromocyclopentane	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P018	357-57-3	Bromoform	P044		1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-

ATTACHMENT D

Revision Checklist Linkage Table

Revision Checklist Linkages

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

Continued

Revision Checklist Linkages (Cont'd)

Revision Checklist Number	Linked Checklists	Topic or Explanation
17N	---	Permit Life
17O	---	Omnibus Provision
17P	---	Interim Status
17Q	---	Research and Development Permits
17R	31,48	Hazardous Waste Exports
17S	---	Exposure Information
* 18	---	TDI, TDA, & DNT Listing
19	---	Waste fuel/Used Oil Fuel
* 20	22	Spent Solvents Listing
* 21	---	EDB Waste Listing
* 22	20	Four Spent Solvents Listing
23	17A,42,47	Small Quantity Generators
24	---	Financial Responsibility - Settlement Agreement
25	16	Paint Filter Test
* 26	---	Spent Pickle Liquor Listing
27	43	Corporate Guarantee
28	52	Hazardous Waste Tank Systems
* 29	46	Listings - 261.33(e)&(f) and Associated Appendices
30	1,17D	Biennial Report
31	17R,48	Exports of Hazardous Waste
32	5,17D,58	National Uniform Hazardous Waste Manifest
* 33	---	EDBC Listing
34	39,50	Land Disposal Restrictions
35	11	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	Land Disposal Restrictions
40	---	List of Hazardous Constituents for Ground-Water Monitoring
41	---	Container/Liner Residues

Continued

Revision Checklist Linkages (Cont'd)

Revision Checklist Number	Linked Checklists	Topic or Explanation
42	17A, 23, 47	Small Quantity Generators
43	27	Corporate Guarantee
44A	---	Permits/Corrective Action
44B	---	Corrective Action Beyond Facility Boundary
44C	---	Corrective Action for Injection Wells
44D	54	Permit Modification
44E	---	Permit as a Shield Provision
44F	---	Permit Conditions/Health-Environment
44G	---	Post-Closure Permits
45	---	Miscellaneous Units
* 46	29	Listings 261.33(e), (f) and Associated Appendices
47	17A, 23, 42	Small Quantity Generators
48	17R, 31	Hazardous Waste Exports
49	---	Sample Exemption
50	34, 39	Land Disposal Restrictions
51	---	Liability Coverage
52	28	Hazardous Waste Tank Systems
* 53	---	Smelting Waste Listing
54	44D	Permit Modification
55	---	Ground-Water Monitoring
		Statistical Methods
* 56	---	Iron Dextran Listing Removal
* 57	---	Strontium Sulfide Listing Removal
58	5, 17D, 32	National Uniform Manifest

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

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