

Revision Checklist 124 Summary

Rule Title: Land Disposal Restrictions for Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated
Checklist Title: Land Disposal Restrictions for Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated
Reference: 58 FR 29860-29887
Promulgation Date: May 24, 1993
Effective Date: May 10, 1993
Cluster: RCRA Cluster III
Provision Type: HSWA
Linkage: Revision Checklists 78, 83, 137, 151, 157, and 167A-C
Optional: No

Summary. This rule amends the land disposal restriction treatment standards for certain ignitable (EPA Hazard code D001) and corrosive wastes (EPA hazard Code D002) that are not managed: 1) in centralized waste water treatment systems subject to the Clean Water Act (CWA), 2) in Class I injection wells regulated under the Safe Drinking Water Act, or 3) by a zero discharger with a waste water treatment equivalent to that used by CWA dischargers, prior to land disposal. While the requirement of deactivation to remove the hazardous characteristic is retained, this rule also sets numerical treatment standards. Alternate treatment standards are promulgated for incineration, fuel substituting, and recovery of organics for ignitable wastes. Precautionary measures are also established to prevent emissions of volatile organic constituents of violent reactions during the process of diluting ignitable reactive wastes. Finally, a 3-month national capacity variance for persons affected by this interim final rule is included in this notice. An extension (until February 10, 1994) is granted for persons disposing of affected waste in certain Class V UIC wells. These actions are being taken to comply with the September 25, 1992 decision of the U.S. Court of Appeals [Chemical Waste Management vs. EPA, 976 F.2d 2 (D.C. Cir. 1992)] which vacated these treatment standards. Without replacement of these standards, land disposal of these wastes would be prohibited.

State Authorization: This rule is placed in RCRA Cluster III. The State modification deadline is July 1, 1994 (or July 1, 1995 if a State statutory change is necessary). All changes go into effect immediately because this rule was promulgated under HSWA authorities. Both interim and final authorization are available. Interim authorization expires January 1, 2003. The State revision application must include applicable regulations, an AG statement addendum, Revision Checklist 124, other associated checklists and other application materials, i.e. a program description and an MOA, as determined by the Regional office.

Attorney General's Statement Entry: The following entry should be inserted at Subsection XXI O of the Model Revision Attorney General's Statement.

O. State statutes and regulations include land disposal restrictions and treatment standards for certain ignitable and corrosive characteristic wastes whose treatment standards were vacated, as indicated in Revision Checklist 124.

Federal Authority: RCRA §3004(d),(e)&(g); 40 CFR 268.37 as amended on May 24, 1993 (58FR 29860).

Citation of Laws and Regulations: Date of Enactment and Adoption

Revision Checklist 124 Summary (cont'd)

Remarks of the Attorney General