

## **ATTACHMENT 2**

### **REVISION CHECKLISTS PROGRAM REVISION III**



**MARYLAND**  
RCRA REVISION CHECKLIST 14

Dioxin Waste Listing and Management Standards  
50 FR 1978-2006  
January 14, 1985  
(HSWA Cluster I)

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION       | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|--------------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                                | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE   |                       |                                |                  |                        |                        |                     |
| SUBPART A - GENERAL  |                       |                                |                  |                        |                        |                     |
| SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY SMALL QUANTITY GENERATORS  |                       |                                |                  |                        |                        |                     |
| acutely hazardous  | 261.5(e)(1)           | 26.13.02.05C(1),(2),(6)(a)&(7) | EQ               |                        | BIS(PCB)               |                     |
| <b>INTERPRETIVE COMMENT:</b> The Federal provision was amended by Checklist 23 for which Maryland is authorized. Note that the State's provisions at COMAR 26.13.02.05C(1)&(2) also include wastes listed in Regulation 26.13.02.19F as acute hazardous wastes. The only waste listed at Regulation .19F is polychlorinated biphenyls (above 500 ppm) with the hazardous waste number M001. Such wastes are regulated under TSCA and are broader in scope under the hazardous waste program. |                       |                                |                  |                        |                        |                     |
| State-only wastes  | 261.5(e)(1) related   | 26.13.02.05C(6)(b)             |                  |                        | BIS                    |                     |
| <b>INTERPRETIVE COMMENT:</b> COMAR 26.13.02.05.C(6)(b) addresses State-only wastes K991 through K999 listed in Regulation .17. The State-only wastes are broader in scope.   |                       |                                |                  |                        |                        |                     |
| residues   | 261.5(e)(2)           | 26.13.02.05C(5)                | EQ               |                        | BIS(State)             |                     |
| <b>INTERPRETIVE COMMENT:</b> At COMAR 26.13.02.05.C(5), the State also references State-only wastes listed in Regulation 18 (Hazardous waste codes MD01, MD02 and MD03), as well as wastes listed in Regulation .17 which includes State-only K991 through K999 wastes. The State-only wastes are broader in scope.  |                       |                                |                  |                        |                        |                     |
| RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS  |                       |                                |                  |                        |                        |                     |
| definition of empty  | 261.7(b)(1) intro     | 26.13.02.07B(1) intro          | EQ               |                        | BIS(State)             |                     |
| definition of empty<br>for acute hazardous wastes  | 261.7(b)(3) intro     | 26.13.02.07B(3) intro          | EQ               |                        | BIS(State)             |                     |

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

**INTERPRETIVE COMMENT:** At 26.13.02.07B(1) intro and B(3) intro, the State references State-only wastes listed in Regulation .18 (Hazardous waste codes MD01, MD02 and MD03), as well as wastes listed in Regulation .17 which includes State-only K991 through K999 wastes. The State-only wastes are broader in scope. The provisions also reference Regulation .19. Regulation .19F lists as an acute hazardous waste polychlorinated biphenyls (above 500 ppm) with the hazardous waste number M001. Such wastes are regulated under TSCA and are broader in scope under the hazardous waste program.

#### SUBPART D - LISTS OF HAZARDOUS WASTES

##### GENERAL

|                   |                   |                           |    |     |
|-------------------|-------------------|---------------------------|----|-----|
| acute "F" wastes  | 261.30(d)         | 26.13.02.15E intro & E(1) | EQ |     |
| State-only wastes | 261.30(d) related | 26.13.02.15E(2)           |    | BIS |

**INTERPRETIVE COMMENT:** COMAR 26.13.02.15.E(2) addresses State-only wastes K991 through K999 listed in Regulation .17. The State-only wastes are broader in scope.

##### HAZARDOUS WASTE FROM NONSPECIFIC SOURCES

|                    |        |             |    |  |
|--------------------|--------|-------------|----|--|
| list of "F" wastes | 261.31 | 26.13.02.16 | EQ |  |
|--------------------|--------|-------------|----|--|

##### §261.31 - Hazardous waste from non-specific sources

| EPA Hazardous Waste No. | Hazardous Waste  | Hazard Code |
|-------------------------|--|-------------|
| F020.....               | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives. (This listing does not include wastes from the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol.)                              | (H)         |
| F021.....               | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.  | (H)         |
| F022.....               | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzenes under alkaline conditions.   | (H)         |
| F023.....               | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- and tetrachlorophenols. (This listing does not include wastes from equipment used only for the production or use of Hexachlorophene from highly purified 2,4,5-trichlorophenol.) | (H)         |

*Continued on next page*

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|   |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| F026.....Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzene under alkaline conditions. |                       |                          |                  |                        |                        | (H)                 |
| F027.....Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing Hexachlorophene synthesized from repurified 2,4,5-trichlorophenol as the sole component.)     |                       |                          |                  |                        |                        | (H)                 |
| F028.....Residues resulting from the incineration or thermal treatment of soil contaminated with EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027.   |                       |                          |                  |                        |                        | (T)                 |

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

|                  |           |              |    |
|------------------|-----------|--------------|----|
| toxic "U" wastes | 261.33(f) | 26.13.02.19G | EQ |
|------------------|-----------|--------------|----|

Note: Amend §261.33(f) by revising the hazardous waste numbers for the following substances:

| Hazardous Waste No. | Substance                                    |
|---------------------|--|
| * * * * *           |  |
| See F027.....       | Pentachlorophenol.                           |
| * * * * *           |  |
| See F027.....       | Phenol, pentachloro-.                        |
| Do.....             | Phenol, 2,3,4,6-tetrachloro-.                |
| Do.....             | Phenol, 2,4,5-trichloro-.                    |
| Do.....             | Phenol, 2,4,6-trichloro-.                    |
| * * * * *           |  |
| See F027.....       | Propionic acid, 2-(2,4,5-trichlorophenoxy)-. |
| * * * * *           |  |
| See F027.....       | Silvex.                                      |
| * * * * *           |  |
| See F027.....       | 2,4,5-T.                                     |
| * * * * *           |  |

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION              | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |   |   |
|----------------------|------------------------------------|--------------------------|------------------|------------------------|------------------------|---------------------|---|---|
|                      |                                    |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |   |   |
| See F027.....        | 2,3,4,6-Tetrachlorophenol.         |                          | *                | *                      | *                      | *                   | * | * |
| See F027.....        | 2,4,5-Trichlorophenol.             |                          |                  |                        |                        |                     |   |   |
| Do.....              | 2,4,6-Trichlorophenol.             |                          |                  |                        |                        |                     |   |   |
| Do.....              | 2,4,5-Trichlorophenoxyacetic acid. |                          |                  |                        |                        |                     |   |   |

APPENDIX III TO PART 261

| ANALYTICAL METHODS                            | 26.13.02.22 | EQ   |
|---|-------------|--|
| remove entry<br>chlorinated<br>dibenzodioxins | Table 1     | Superceded by CL 126 for which State is authorized |
| add new entries                               | Table 1     | Superceded by CL 126 for which State is authorized |

Table 1 - Analytical Methods for Organic Chemicals Contained in SW-846

| Compound                           | First Edition<br>Method | Second Edition<br>Method                           |
|------------------------------------|-------------------------|--|
| Chlorinated dibenzo-p-dioxins..... |                         | 8280   |
| Chlorinated dibenzofurans.....     |                         | 8280   |
| add new entry                      | Table 3                 | Superceded by CL 126 for which State is authorized |

Table 3 - Sampling and Analysis Methods Contained in SW-846

|   | First Edition<br>Section No. | Method No. | Second Edition<br>Section No. | Method No. |
|---|------------------------------|------------|-------------------------------|------------|
| Analysis of Chlorinated<br>Dioxins and Dibenzofurans..... |                              |            | 8.2                           | 8280       |

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

|                 |              |             |    |
|-----------------|--------------|-------------|----|
| add new entries | Appendix VII | 26.13.02.23 | EQ |
|-----------------|--------------|-------------|----|

Appendix VII - Basis for Listing Hazardous Wastes

| EPA Hazardous<br>Waste No. | Hazardous constituents for which listed  |
|----------------------------|--|
| F020.....                  | Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetrachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts. |

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION   | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|---|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |   |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| F021.....            | Penta- and hexachlorodibenzo-p-dioxins; penta- and hexachlorodibenzofurans; pentachlorophenol and its derivatives.  |                          |                  |                        |                        |                     |
| F022.....            | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans.   |                          |                  |                        |                        |                     |
| F023.....            | Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetrachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts.                          |                          |                  |                        |                        |                     |
| F026.....            | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans.   |                          |                  |                        |                        |                     |
| F027.....            | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts. |                          |                  |                        |                        |                     |
| F028.....            | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts. |                          |                  |                        |                        |                     |

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

|                 |               |             |    |
|-----------------|---------------|-------------|----|
| add new entries | Appendix VIII | 26.13.02.24 | EQ |
|-----------------|---------------|-------------|----|

Appendix VIII - Hazardous Constituents

hexachlorodibenzo-p-dioxins  
hexachlorodibenzofurans  
pentachlorodibenzo-p-dioxins  
pentachlorodibenzofurans  
tetrachlorodibenzo-p-dioxins  
tetrachlorodibenzofurans

APPENDIX X TO PART 261

METHOD OF ANALYSIS FOR CHLORINATED DIBENZO-P-DIOXINS AND DIBENZOFURANS

|             |            |   |
|-------------|------------|---|
| method 8280 | Appendix X | Removed by CL 126 for which the State is authorized |
|-------------|------------|---|

See 50 FR 2001 - 2003 for method

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

SUBPART I - CONTAINERS

CONTAINMENT

|                    |                  |                        |    |
|--------------------|------------------|------------------------|----|
| exception          | 264.175(c) intro | 26.13.05.09.H(4) intro | EQ |
| containment system | 264.175(d)       | 26.13.05.09H(5)        | EQ |

SUBPART J - TANKS

| FEDERAL REQUIREMENTS             | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                              | STATE ANALOG IS: |                        |                        |                     |
|----------------------------------|-----------------------|---|------------------|------------------------|------------------------|---------------------|
|                                  |                       |   | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| INSPECTIONS                      |                       |   |                  |                        |                        |                     |
| 1 contingency plan               | 264.194(c)(2)         | Superceded by CL 28 for which the State is authorized |                  |                        |                        |                     |
| SPECIAL REQUIREMENTS             |                       |   |                  |                        |                        |                     |
| 1 dioxin requirements            | 264.200(a)            | Removed by CL 28 for which the State is authorized    |                  |                        |                        |                     |
| SUBPART K - SURFACE IMPOUNDMENTS |                       |   |                  |                        |                        |                     |
| SPECIAL REQUIREMENTS             |                       |   |                  |                        |                        |                     |
| dioxin requirements              | 264.231(a)            | 26.13.05.11K(1)                                       | EQ               |                        |                        |                     |
| additional requirements          | 264.231(b)            | 26.13.05.11K(2)                                       | EQ               |                        |                        |                     |
| SUBPART L - WASTE PILES          |                       |   |                  |                        |                        |                     |
| SPECIAL REQUIREMENTS             |                       |   |                  |                        |                        |                     |
| dioxin requirements              | 264.259(a)            | 26.13.05.12J(1)                                       | EQ               |                        |                        |                     |
| additional requirements          | 264.259(b)            | 26.13.05.12J(2)                                       | EQ               |                        |                        |                     |
| SUBPART M - LAND TREATMENT       |                       |   |                  |                        |                        |                     |
| SPECIAL REQUIREMENTS             |                       |   |                  |                        |                        |                     |
| dioxin requirements              | 264.283(a)            | 26.13.05.13N(1)                                       | EQ               |                        |                        |                     |
| additional requirements          | 264.283(b)            | 26.13.05.13N(2)                                       | EQ               |                        |                        |                     |
| SUBPART N - LANDFILLS            |                       |   |                  |                        |                        |                     |
| SPECIAL REQUIREMENTS             |                       |   |                  |                        |                        |                     |
| dioxin requirements              | 264.317(a)            | 26.13.05.14P(1)                                       | EQ               |                        |                        |                     |
| additional requirements          | 264.317(b)            | 26.13.05.14P(2)                                       | EQ               |                        |                        |                     |
| SUBPART O - INCINERATORS         |                       |   |                  |                        |                        |                     |
| PERFORMANCE STANDARDS            |                       |   |                  |                        |                        |                     |
| Dioxin DRE requirements          | 264.343(a)(1)&(2)     | 26.13.05.16F(1)(a)&(b)                                | EQ               |                        |                        |                     |



| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|   |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 265 - INTERIM STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS<br>WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES   |                       |                          |                  |                        |                        |                     |
| SUBPART A - GENERAL   |                       |                          |                  |                        |                        |                     |
| PURPOSE, SCOPE, AND APPLICABILITY   |                       |                          |                  |                        |                        |                     |
| dioxin management   | 265.1(d)              | 26.13.06.01A(6)          |                  |                        | MS                     |                     |
| <p><b>INTERPRETIVE COMMENT:</b> Maryland has not adopted analogs to the Federal provisions at 265.1(d)(1)(iv)&amp;(v) which allow dioxin wastes to be burned in certain incinerators and facilities that thermally treat the waste in other devices. The State has replaced these provisions with a provision at COMAR 26.13.06.01.A(6)(d) that allows dioxin wastes to be managed at a permitted facility, thus making the State more stringent.</p> |                       |                          |                  |                        |                        |                     |
| SUBPART O - INCINERATORS  |                       |                          |                  |                        |                        |                     |
| INTERIM STATUS INCINERATORS BURNING PARTICULAR HAZARDOUS WASTES   |                       |                          |                  |                        |                        |                     |
| dioxin certification  | 265.352(a)            | 26.13.06.23C             |                  |                        | MS                     |                     |
| certification standards   | 265.352(b)            | 26.13.06.23C             |                  |                        | MS                     |                     |
| <p><b>INTERPRETIVE COMMENT:</b> Unlike the Federal code which allows owners and operators of incinerators who have received the required certification to burn EPA Hazardous Wastes F020, F021, F022, F023, F026, or F027, at COMAR 26.13.06.23.C, Maryland prohibits the burning of such wastes, thus making its regulations more stringent.</p>   |                       |                          |                  |                        |                        |                     |
| SUBPART P - THERMAL TREATMENT   |                       |                          |                  |                        |                        |                     |
| INTERIM STATUS THERMAL TREATMENT BURNING PARTICULAR HAZARDOUS WASTES  |                       |                          |                  |                        |                        |                     |
| dioxin certification  | 265.383(a)            | 26.13.06.24B(1)          |                  |                        | MS                     |                     |
| certification standards   | 265.383(b)            | 26.13.06.24B(1)          |                  |                        | MS                     |                     |
| <p><b>INTERPRETIVE COMMENT:</b> Unlike the Federal code which allows owners and operators of thermal treatment devices who have received the required certification to burn EPA Hazardous Wastes F020, F021, F022, F023, F026, or F027, at COMAR 26.13.06.24B(1), Maryland prohibits the burning of such wastes, thus making its regulations more stringent.</p>  |                       |                          |                  |                        |                        |                     |
| PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE<br>HAZARDOUS WASTE PERMIT PROGRAM  |                       |                          |                  |                        |                        |                     |
| SUBPART B - PERMIT INFORMATION  |                       |                          |                  |                        |                        |                     |
| CONTENTS OF PART B  |                       |                          |                  |                        |                        |                     |
| contingency plan  | 270.14(b)(7)          | 26.13.07.02D(21)         |                  |                        | EQ                     |                     |

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| <b>FACILITY SPECIFIC PART B INFORMATION</b>  |                       |                          |                  |                        |                        |                     |
| tanks  | 270.16(g)             | 26.13.07.02-3B(9)        | EQ               |                        |                        |                     |
| surface impoundments<br>(redesignated as (i) by the 7/15/85 final rule (50 FR 28752) (Checklist 17)) | 270.17(j)             | 26.13.07.02-4B(17)       | EQ               |                        |                        |                     |
| waste piles<br>(redesignated as (i) by the 7/15/85 final rule (50 FR 28752) (Checklist 17))          | 270.18(j)             | 26.13.07.02-5B(10)       | EQ               |                        |                        |                     |
| land treatment   | 270.20(i)             | 26.13.07.02-7B(7)        | EQ               |                        |                        |                     |
| landfills  | 270.21(j)             | 26.13.07.02-8B(8)        | EQ               |                        |                        |                     |

- 1 Note these changes were completely superseded by the July 14, 1988 (51 FR 25422) final rule addressed by Revision Checklist 28.

MARYLAND

RCRA REVISION CHECKLIST 17 E

HSWA Codification Rule

50 FR 28702-28755

July 15, 1985

(HSWA Cluster I)

Location Standards for Salt Domes, Salt Beds, Underground Mines and Caves

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|   |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS<br>WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES         |                       |                          |                  |                        |                        |                     |
| SUBPART B - GENERAL FACILITY STANDARDS  |                       |                          |                  |                        |                        |                     |
| LOCATION STANDARDS  |                       |                          |                  |                        |                        |                     |
| salt dome formations  | 264.18(c)             | 26.13.05.02-1F           | X                |                        |                        |                     |
| PART 265 - INTERIM STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE<br>TREATMENT, STORAGE, AND DISPOSAL FACILITIES |                       |                          |                  |                        |                        |                     |
| SUBPART B - GENERAL FACILITY STANDARDS  |                       |                          |                  |                        |                        |                     |
| LOCATION STANDARDS  |                       |                          |                  |                        |                        |                     |
| waste in salt domes   | 265.18                | 26.13.06.02G             | X                |                        |                        |                     |

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MARYLAND

RCRA REVISION CHECKLIST 17 I

HSWA Codification Rule

50 FR 28702-28755

July 15, 1985

(HSWA Cluster I)

Ground-Water Monitoring

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|----------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|                      |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |

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

SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

APPLICABILITY

|              |           |                 |   |  |  |  |
|--------------|-----------|-----------------|---|--|--|--|
| † exemptions | 264.90(b) | 26.13.05.06A(3) | X |  |  |  |
|--------------|-----------|-----------------|---|--|--|--|

SUBPART K - SURFACE IMPOUNDMENTS

DOUBLE-LINED SURFACE IMPOUNDMENTS: EXEMPTION FROM SUBPART F

|                 |         |   |   |  |  |  |
|-----------------|---------|---|---|--|--|--|
| section removed | 264.222 | Not found in the State=s regulations at 26.13.05.11 | X |  |  |  |
|-----------------|---------|---|---|--|--|--|

Comment: The 40 CFR 264.222 removed by Revision Checklist 17I (see 1983 CFR) was part of the base program and addressed an exemption from Subpart F for double-lined surface impoundments. Revision Checklist 100 introduced a new 264.222 (Action Leakage Rate) into the Federal code.

MONITORING AND INSPECTION

|                   |               |                  |   |  |  |  |
|-------------------|---------------|------------------|---|--|--|--|
| old 264.226(b)(3) | 264.226(b)(3) | Not found in the | X |  |  |  |
|-------------------|---------------|------------------|---|--|--|--|

| FEDERAL REQUIREMENTS                                 | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION            | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|-------------------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                                     | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| removed; 264.226(b)(4) redesignated as 264.226(b)(3) |                       | State=s regulations at 26.13.05.11F |                  |                        |                        |                     |

Comment: The Federal at 264.226(b)(3) removed by Revision Checklist 171 (see 1983 CFR) addressed the weekly inspection of the surface impoundment to detect evidence of the presence of liquids in leak detection systems, where installed to comply with 264.222 (also removed by CL 171).

CLOSURE AND POST-CLOSURE CARE

|  |               |                                 |  |  |   |  |
|--|---------------|---------------------------------|--|--|---|--|
| old 264.228(b)(2) removed; 264.228(b)(3) and (4) redesignated as 264.228(b)(2) and (3) | 264.228(b)(2) | 26.13.05.11G(2) (b) not removed |  |  | X |  |
| section removed  | 264.228(d)    | 26.13.05.11G(4) not removed     |  |  | X |  |

SUBPART L - WASTE PILES

DOUBLE-LINED PILES: EXEMPTION FROM SUBPART F

|                 |         |   |   |  |  |  |
|-----------------|---------|---|---|--|--|--|
| section removed | 264.252 | Not found in the State=s regulations at 26.13.05.12 | X |  |  |  |
|-----------------|---------|---|---|--|--|--|

Comment: The 40 CFR 264.252 removed by Revision Checklist 171 (see 1983 CFR) was part of the base program and addressed an exemption from Subpart F for double-lined waste piles. Revision Checklist 100 introduced a new 264.252 (Action Leakage Rate) into the Federal code.

INSPECTION OF LINERS: EXEMPTION FROM SUBPART F

|                 |         |   |   |  |  |  |
|-----------------|---------|---|---|--|--|--|
| section removed | 264.253 | Not found in the State=s regulations at 26.13.05.12 | X |  |  |  |
|-----------------|---------|---|---|--|--|--|

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

**Comment:** The 40 CFR 264.253 removed by Revision Checklist 171 (see 1983 CFR) was part of the base program and addressed an exemption from Subpart F for waste piles. Revision Checklist 100 introduced a new 264.253 (Response Actions) into the Federal code.

MONITORING AND INSPECTION

|  |               |                                     |  |  |   |  |
|--|---------------|-------------------------------------|--|--|---|--|
| old 264.254(b)(2) removed; 264.254(b)(3) and (4) redesignated as 264.254(b)(2) and (3) | 264.254(b)(2) | 26.13.05.12.E<br>(4)(b) not removed |  |  | X |  |
|--|---------------|-------------------------------------|--|--|---|--|

SUBPART N – LANDFILLS

DOUBLE-LINED LANDFILLS: EXEMPTIONS FROM SUBPART F

|                 |         |   |   |  |  |  |
|-----------------|---------|---|---|--|--|--|
| section removed | 264.302 | Not found in the State=s regulations at 26.13.05.14 | X |  |  |  |
|-----------------|---------|---|---|--|--|--|

**Comment:** The 40 CFR 264.302 removed by Revision Checklist 171 (see 1983 CFR) was part of the base program and addressed an exemption from Subpart F for double-lined landfills. Revision Checklist 100 introduced a new 264.302 (Action Leakage Rate) back into the Federal code.

MONITORING AND INSPECTION

|  |               |                                    |  |  |   |  |
|--|---------------|------------------------------------|--|--|---|--|
| remove old paragraph 264.303(b)(2); redesignate 264.303(b)(3) and (4) as 264.303(b)(2) and (3) | 264.303(b)(2) | 26.13.05.14C<br>(2)(b) not removed |  |  | X |  |
|--|---------------|------------------------------------|--|--|---|--|

CLOSURE AND POST-CLOSURE CARE

|                      |               |                  |   |  |  |  |
|----------------------|---------------|------------------|---|--|--|--|
| remove old paragraph | 264.310(b)(2) | Not found in the | X |  |  |  |
|----------------------|---------------|------------------|---|--|--|--|

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                 | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|--|------------------|------------------------|------------------------|---------------------|
|   |                       |  | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| 264.310(b)(2);<br>redesignate<br>264.310(b)(3), (4) and<br>(5) as 264.310(b)(2),<br>(3) and (4) |                       | State=s regulations<br>at 26.13.05.14(2) |                  |                        |                        |                     |

Comment: The 40 CFR 264.310(b)(2) removed by Revision Checklist 17I (see 1983 CFR) was part of the base program and addressed the maintenance and monitoring of the leak detection system.

|                    |            |   |   |  |  |  |
|--------------------|------------|---|---|--|--|--|
| subsection removed | 264.310(c) | Not found in the<br>State=s regulations<br>at 26.13.05.14 | X |  |  |  |
|--------------------|------------|---|---|--|--|--|

Comment: The 40 CFR 264.310(c) removed by Revision Checklist 17I (see 1983 CFR) was part of the base program and addressed notification and permit modification requirements for when a liquid leaks into a leak detection system during the post-closure period.



**MARYLAND**  
RCRA REVISION CHECKLIST 17 M

HSWA Codification Rule  
50 FR 28702-28755  
July 15, 1985  
(HSWA Cluster I)

Pre-construction Ban

Note: States must delete the old pre-July 15, 1985 version of 270.10(f)(3), that allows construction without a permit under limited circumstances. This language must be removed, whether or not the State chooses to adopt the provision regarding the construction of TSCA PCB facilities. The change made to 270.10(f)(1) is considered trivial, however, as it does not alter the meaning of that paragraph.

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION   | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|----------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                            | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 270 - EPA ADMINISTERED PERMIT PROGRAM: THE HAZARDOUS WASTE PERMIT PROGRAM |                       |                            |                  |                        |                        |                     |
| SUBPART B - PERMIT APPLICATION   |                       |                            |                  |                        |                        |                     |
| GENERAL APPLICATION REQUIREMENTS   |                       |                            |                  |                        |                        |                     |
| new HWM facilities   | 270.10(f)(1)          | 26.13.07.01B               |                  |                        | X                      |                     |
| delete old pre-construction provision  | 270.10(f)(3)          | Not in State=s regulations | X                |                        |                        |                     |
| † NEW: TSCA PCB facilities   | 270.10(f)(3)          | No State analog            |                  |                        | X                      |                     |

INTEPRETIVE COMMENT: Maryland did not appear to have an analog to the old Federal provision at 270.10(f)(3) which was removed by the July 15, 1985 rule nor has the State adopted the optional

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

provision introduced by the July 15, 1985 rule at 270.10(f)(3). As a result, the State's analog to 270.10(f)(1) does not include the phrase analogous to "Except as provided in paragraph (f)(3) of this section". The new Federal provision at 270.10(f)(3) allows a person to construct a facility for the incineration of polychlorinated biphenyls without a RCRA permit if an approval has been issued under TSCA. Without this exemption, Maryland is more stringent.

MARYLAND

RCRA REVISION CHECKLIST 17 N

HSWA Codification Rule

50 FR 28702-28755

July 15, 1985

(HSWA Cluster I)

Permit Life

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION        | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|--|------------------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|  |                              |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 270 - EPA ADMINISTERED PERMIT PROGRAM: THE HAZARDOUS WASTE PERMIT PROGRAM |                              |                          |                  |                        |                        |                     |
| SUBPART D - CHANGES TO PERMIT  |                              |                          |                  |                        |                        |                     |
| MAJOR MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS                     |                              |                          |                  |                        |                        |                     |
| modify permit to assure compliance   | 270.41(a)(6)<br>(now (a)(5)) | 26.13.07.06.A            | X                |                        |                        |                     |
| SUBPART E - EXPIRATION AND CONTINUATION OF PERMITS                             |                              |                          |                  |                        |                        |                     |
| DURATION OF PERMITS  |                              |                          |                  |                        |                        |                     |
| five year review for land disposal permits                                     | 270.50(d)                    | 26.13.07.06.C            | X                |                        |                        |                     |

**INTERPRETIVE COMMENT:** Effective May 1, 2008 COMAR 26.13.07.06A was modified to set the permit term for a hazardous waste facility at 10 years, reflecting a change that had previously been made to the Environment Article, Annotated Code of Maryland. At the same time, COMAR 26.13.07.06C was added, covering the required review for land disposal permits 5 years after the date of issuance. (Note that the federal regulation says 5 years after issuance or reissuance, but the State considers a permit reissuance simply to be a type of permit issuance, so the Maryland regulation does not specifically mention "reissuance".)

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MARYLAND

RCRA REVISION CHECKLIST 17 Q

HSWA Codification Rule

50 FR 28702-28755

July 15, 1985

(HSWA Cluster 1)

Research and Development Permits

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 270 - EPA ADMINISTERED PERMIT PROGRAM: THE HAZARDOUS WASTE PERMIT PROGRAM |                       |                          |                  |                        |                        |                     |
| SUBPART B - PERMIT APPLICATION   |                       |                          |                  |                        |                        |                     |
| GENERAL APPLICATION REQUIREMENTS   |                       |                          |                  |                        |                        |                     |
| † permit application   | 270.10(a)             | 26.13.07.02A             | X                |                        |                        |                     |
| SUBPART F - SPECIAL FORMS OF PERMITS   |                       |                          |                  |                        |                        |                     |
| RESEARCH, DEVELOPMENT, AND DEMONSTRATION PERMITS                               |                       |                          |                  |                        |                        |                     |
| † R&D permits  | 270.65                | 26.13.07.19              | X                |                        |                        |                     |

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**MARYLAND**  
**RCRA REVISION CHECKLIST 17 S**

HSWA Codification Rule  
 50 FR 28702-28755  
 July 15, 1985  
 (HSWA Cluster I)

Exposure Information

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 270 - EPA ADMINISTERED PERMIT PROGRAM: THE HAZARDOUS WASTE PERMIT PROGRAM |                       |                          |                  |                        |                        |                     |
| SUBPART B - PERMIT APPLICATION   |                       |                          |                  |                        |                        |                     |
| GENERAL APPLICATION REQUIREMENTS   |                       |                          |                  |                        |                        |                     |
| † completeness   | 270.10(c)             | 26.13.07.02C             | X                |                        |                        |                     |
| † exposure information   | 270.10(j)             | 26.13.07.02D(37)         | X                |                        |                        |                     |

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**MARYLAND**  
RCRA REVISION CHECKLIST 44 D

HSWA Codification Rule 2  
52 FR 45788-45799  
December 1, 1987  
(HSWA Cluster II)

Permit Modification

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

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

SUBPART D - CHANGES TO PERMITS

MAJOR MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS

|                                    |                      |   |  |  |  |
|------------------------------------|----------------------|---|--|--|--|
| statutory requirements             | 270.41(a)(3)         | 26.13.07.11B(3)                         |  |  |  |
| modification by the director       | 270.41(a)(3)(i)      | No longer applicable - Removed by CL 54 |  |  |  |
| permittee request for modification | 270.41(a)(3)(ii)     | No longer applicable - Removed by CL 54 |  |  |  |
| †                                  | renumber old (3)(ii) |   |  |  |  |
| as (3)(iii) and revise             | 270.41(a)(3)(iii)    | No longer applicable - Removed by CL 54 |  |  |  |

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**MARYLAND**  
**RCRA REVISION CHECKLIST 44 F**

HSWA Codification Rule 2  
 52 FR 45788-45799  
 December 1, 1987  
 (HSWA Cluster II)

Permit Conditions to Protect Human Health and the Environment

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

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

SUBPART B - PERMIT APPLICATION

GENERAL APPLICATION REQUIREMENTS

|                                      |           |                  |    |
|--------------------------------------|-----------|------------------|----|
| information for<br>permit conditions | 270.10(k) | 26.13.07.02D(36) | EQ |
|--------------------------------------|-----------|------------------|----|

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RCRA REVISION CHECKLIST 78

Land Disposal Restrictions for  
Third Third Scheduled Wastes  
55 FR 22520-22720  
June 1, 1990  
(HSWA Cluster II and Non-HSWA Cluster VI)

Note regarding RCRA Revision Checklist 78:

Maryland is not seeking authorization to implement the Land Disposal Restriction regulations as part of Maryland's 3<sup>rd</sup> revision authorization application. Maryland has adopted certain regulatory changes related to the definition of hazardous waste and the listing of F039 that were promulgated by EPA as part of the final action covered by this checklist. What follows is a truncated checklist that provides the Maryland regulatory citations for those provisions it has adopted. Entries for provisions related to the LDR regulations that Maryland has not adopted are omitted.

Pages (6 of 28) through (26 of 28) and page (28 of 28) of Checklist 78 as developed by EPA have been omitted. The remaining pages retain their original pagination.

## RCRA REVISION CHECKLIST 78

Land Disposal Restrictions for  
Third Third Scheduled Wastes  
55 FR 22520-22720  
June 1, 1990  
(HSWA Cluster II and Non-HSWA Cluster VI)

**\*\*At this time, Maryland is not adopting the land disposal restrictions (LDRs) as addressed by this checklist, therefore no analog is provided for those provisions relating to the land disposal restrictions.\*\***

Notes: 1) The Federal Register addressed by this checklist is the last of five Congressionally mandated prohibitions on land disposal of hazardous wastes. Previous checklists based on the Congressional mandate include Revision Checklists 34, 39, 50 and 63. Revision Checklists 62 and 66 correct the First Thirds Rule addressed by Revision Checklist 50. Revision Checklist 83 (56 FR 3864) addresses changes to the Third Thirds Rule. Because of the changes made to the tables and appendices by this correction notice, States are strongly encouraged to adopt them at the same time as the provisions addressed by Revision Checklist 78.

2) This checklist may be subject to change in the future. EPA's State Programs Branch is currently discussing the relationship of hazardous waste injection issues to the State authorization program. In question are the changes made to 40 CFR Part 148 by the final rule addressed by this checklist and whether they should be included in the checklist. This present checklist does not include these changes.

3) The checklist is in HSWA Cluster II, with the exception of the clarifying amendment to ' 261.33(c) which is in non-HSWA Cluster VI. This clarification is not immediately effective in authorized States since the requirements are not imposed pursuant to HSWA. Thus, these requirements are applicable only in those States that do not have interim or final authorization. In authorized States, the requirements will not be applicable until the State revises its program to adopt equivalent requirements under State law.

4) The following Part 268 sections are not delegable to States because of the national concerns which must be examined when decisions are made relative to them: 268.5 (case-by-case effective date extensions); 268.42(b) (application for alternate treatment method); and 268.44 (variance from a treatment standard). "No migration" petitions under 268.6 will be handled by EPA, even though States may be authorized to grant such petitions in the future. States have the authority to grant such petitions under RCRA Section 3006 because such decisions do not require a national perspective, as is the case for decisions under 268.5, 268.42(b) or 268.44. However, EPA has had few opportunities to implement the land disposal restrictions and expects to gain valuable experience and information from reviewing "no-migration" petitions.

5) In the past, the nondelegable sections/paragraphs of the LDR regulations have been omitted from the LDR checklists because States could not assume the authority for them. However, this procedure has led to confusion among the States on how to handle the sections/paragraphs in their code. For this reason, the Agency has decided to include these nondelegable sections on the LDR checklists. To differentiate these sections from the delegable portions of the LDR restrictions, asterisks precede (a single row) and follow (a double row) each non-delegable section. If States have already filled out a version of Revision Checklist 78 which does not include the nondelegable sections, they need not fill out a revised version containing these sections. This change in format was made only to improve clarity.

The Agency suggests that States incorporate the nondelegable portions of the LDR regulation into their regulations. It is essential, however, that States leave the terms "Administrator", "Federal Register" and "Agency" unchanged, i.e., States may not substitute analogous State terms for these Federal terms. Similarly, States incorporating by reference must be careful to exclude these sections from blanket substitutions of State terms for Federal terms. For a more complete discussion of issues surrounding nondelegable sections, see Appendix J of the State Authorization Manual (SAM).

6) Note that while 268.40 is delegable to States, "Administrator" in the following phrase "Approved by the Administrator under the procedures set for this in 268.42(b)" should not be replaced with an analogous State term because it is referring to decisions under 268.42(b). Such decisions will be made by the EPA Administrator.

7) States which have not submitted any land disposal restrictions are strongly encouraged to use the Consolidated Land Disposal Restriction Checklist rather than the seven individual revision checklists.

8) Note that the Toxicity Characteristic Leaching Procedure (TCLP) referred to by the Third Third Scheduled Waste Rule is the TCLP entered into the Federal code at 40 CFR 261 Appendix II by the Toxicity Characteristic Rule (55 FR 11798, March 29, 1990) and amended at 55 FR 26986 (June 29, 1990). (Both the Toxicity Characteristic Rule and the June amendment are addressed by Revision Checklist 74.) The TCLP procedure previously located at 40 CFR Part 268, Appendix I and introduced by the Solvents and Dioxins Land Disposal Restrictions Rule (51 FR 40572; November 7, 1986; Revision Checklist 34) is the outdated version of the TCLP. Thus, States adopting the Third Third Scheduled Waste Rule must also adopt the new version of the TCLP. The Revision Checklist 34 version of the TCLP should be removed from their code as well.

9) Guidance regarding the use of the new TCLP versus the EP Toxicity Test may be found at 55 FR 22660 (June 1, 1990). The code (40 CFR 268.40(a) and 268.41(a)) addressing this issue contains a serious technical error which is discussed in Footnote 11 found at the end of this checklist.

10) Adopting the alternate treatment standards for lab packs is optional. However, if a State chooses to adopt these alternate standards, all of the requirements related to these standards must be adopted, including all of the provisions added by the Third Third Scheduled Waste Rule (i.e., Revision Checklist 78) at 264.316(f), 265.316(f), 268.7(a)(7), 268.7(a)(8), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268.

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

GENERAL

remove ", but is not listed as a hazardous waste in Subpart D"; change "the EPA" to "every EPA"; insert "that is applicable as" before "set forth"; remove "in the respective characteristic" before "in this Subpart"; before "recordkeeping", change "certain" to "all applicable"

261.20(b) 26.13.02.10B X

CHARACTERISTIC OF IGNITABILITY

remove ", but is not listed as a hazardous waste in Subpart D,"

261.21(b) 26.13.02.11B X

CHARACTERISTIC OF CORROSIVITY

remove ", but is not listed as a hazardous waste in Subpart D,"

261.22(b) 26.13.02.12B X

CHARACTERISTIC OF REACTIVITY

remove ", but is not listed as a hazardous waste in Subpart D,"

261.23(b) 26.13.02.13B X

CHARACTERISTIC OF EP TOXICITY

remove ", but is not listed as a hazardous waste in Subpart D,"

261.24(b) 26.13.02.14B X

SUBPART D - LISTS OF HAZARDOUS WASTES



RCRA REVISION CHECKLIST 78: Land Disposal Restrictions for  
Third Third Scheduled Wastes (cont'd)

HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

add the waste  
code "F039" to list  
in alphanumeric  
order to list as  
specified below

|  |        |                        |   |
|--|--------|------------------------|---|
|  | 261.31 | 26.13.02.16A/<br>Table | X |
|--|--------|------------------------|---|

| Industry and EPA hazardous<br>waste No. | Hazardous waste  | Hazard<br>code |
|---|--|----------------|
| * * * * *                               | * * * *  |                |
| F039.....                               | Leachate resulting from the treatment, storage, (T) or disposal of wastes classified by more than one waste code under Subpart D, or from a mixture of wastes classified under Subparts C and D of this part. (Leachate resulting from the management of one or more of the following EPA Hazardous Wastes and no other hazardous wastes retains its hazardous waste code(s): F020, F021, F022, F023, F026, F027, and/or F028.). |                |
| * * * * *                               | * * * *  |                |

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

1. insert "or (f)"  
after "(e)";  
change "261.7(b)(3)"  
to "261.7(b)"

|  |           |              |   |
|--|-----------|--------------|---|
|  | 261.33(c) | 26.13.02.19C | X |
|--|-----------|--------------|---|

RCRA REVISION CHECKLIST 78: Land Disposal Restrictions for  
Third Third Scheduled Wastes (cont'd)

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

|  |              |                       |   |
|--|--------------|-----------------------|---|
| add "F039" to list<br>in alphanumeric order<br>as shown below: | Appendix VII | 26.13.02.23/<br>Table | X |
|--|--------------|-----------------------|---|

| EPA hazardous<br>waste No. | Hazardous constituents for<br>which listed  |
|----------------------------|---|
| * * * * *                  |   |
| F039.....                  | All constituents for which treatment standards are specified for multi-source leachate (wastewaters and non-wastewaters) under 40 CFR 268.43(a), Table CCW. |
| * * * * *                  |   |

**Pages (6 of 28) through (26 of 28) and page (28 of 28) of Checklist 78 as developed by EPA have been omitted. See explanation on the page preceding the beginning of this checklist.**

RCRA REVISION CHECKLIST 78: Land Disposal Restrictions for  
Third Third Scheduled Wastes (cont'd)

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

<sup>1</sup> Unlike the other changes addressed by this checklist, the change to 261.33(c) is not imposed pursuant to HSWA. Thus, this change is placed in non-HSWA Cluster VI.

**NOTE: End Notes 2 through 13 relate to pages (6 of 28) through (26 of 28) of checklist 78 as developed by EPA, and are not relevant for the purposes of this document. They have been omitted.**

**Page (28 of 28) of Checklist 78 as developed by EPA has been omitted, in accordance with the explanation given on the page preceding the beginning of this checklist. Page (28 of 28) contains End Notes that have been omitted as not relevant.**

MARYLAND  
RCRA REVISION CHECKLIST 109

Land Disposal Restrictions for Newly Listed Wastes  
and Hazardous Debris; Containment Buildings  
57 FR 37194-37282  
August 18, 1992  
(RCRA Cluster III, HSWA provisions)

Note: This checklist may be subject to change in the future. EPA's State and Regional Programs Branch is currently discussing the relationship of hazardous waste injection issues to the State authorization program. In question are the changes made to 40 CFR Part 148 by the final rule addressed by this checklist and whether they should be included in the checklist. This present checklist does not include these changes.

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| <b>PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL</b>   |                       |                          |                  |                |                |                  |
| <b>SUBPART A - GENERAL</b>   |                       |                          |                  |                |                |                  |
| <b>DEFINITIONS</b>   |                       |                          |                  |                |                |                  |
| add "containment building"   | 260.10                | 26.13.01.03.B(9-1)       | X                |                |                |                  |
| <p><b>Interpretive Comment.</b> Maryland's definition of "containment building" has been modified from the federal definition because Maryland style requirements do not allow regulatory requirements to be included as part of a definition. (The federal definition makes direct reference to units that are managed under the provisions of subpart DD of 40 CFR Part 264 or 265.) The approach that has been taken identifies the fundamental characteristics of what EPA is regulating as a containment building, as found in 40 CFR 264/265.1100 and the final rule addressed by Revision Checklist 109 (see Section IV.G, 57 FR 37211, Col 3, Section 1 paragraph 2). The owner/operator is then held to the specific design and operating standards imposed by subpart DD in the State's analog to the 264 and 265 requirements. Maryland's definition is substantially equivalent to the federal definition.</p> |                       |                          |                  |                |                |                  |
| revise "miscellaneous unit"  | 260.10                | 26.13.01.03.B(53)        | X                |                |                |                  |
| revise "pile"  | 260.10                | 26.13.01.03.B(63)        | X                |                |                |                  |
| <b>PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE</b>  |                       |                          |                  |                |                |                  |
| <b>SUBPART A – GENERAL</b>   |                       |                          |                  |                |                |                  |
| <b>DEFINITION OF HAZARDOUS WASTE</b>   |                       |                          |                  |                |                |                  |
| insert "of this part" after the first "subpart C"; insert ", " before "or unless"; add a sentence addressing the relationship of nonwastewater mixtures and the Part 268 requirements  | 261.3(a)(2)(iii)      | 26.13.02.03.A(2)(c)      | X                |                |                |                  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION            | STATE ANALOG IS: |                |                |                  |
|---|-----------------------|-------------------------------------|------------------|----------------|----------------|------------------|
|   |                       |                                     | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| split paragraph into two subparagraphs, (C)(1)&(2), with the second subparagraph addressing the notification for HTMR residues; in first subparagraph, insert ", K062 or F006" after "K061"; replace "(as defined in 40 CFR 260.10(6), (7), and (12))" with "(as defined in paragraphs (6), (7), and (13) of the definition for 'Industrial Furnace' in 40 CFR 260.10)"; replace "identified below" with "identified in the tables in this paragraph"; replace "The generic exclusion levels are:" with a sentence addressing burden of proof for persons claiming this exclusion in an enforcement action; replace single table with the two tables indicated at 57 FR 37264 | 261.3(c)(2)(ii)(C)(1) | 26.31.02.03C-1(3) intro – C-1(3)(d) | X                |                |                |                  |
| completely revise requirements addressing notification and certification; one- time notification and certification for K061, K062 or F006 HTMR residues, which meet generic exclusion levels and exhibit no characteristics, that are sent to Subtitle D units; update of notification and certification; annual EPA/State notification; deadline for submission to EPA/State; what the notification must include; certification signed by authorized representative and what it must state   | 261.3(c)(2)(ii)(C)(2) | 26.31.02.03C-1(3) C-1(3)(e) – (g)   | X                |                |                |                  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                      | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|---|------------------|------------------------|------------------------|---------------------|
|  |                       |   | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| <b>Interpretive Comment:</b> Maryland has a provision at COMAR 26.13.02.03G-1(3)(g)(ii) which requires that a generator must retain the notification and the certification for at least 3 years. While such a requirement is not found at 261.3(c)(2)(ii)(C)2, the Federal code has the same requirement at 40 CFR 268.7(a)(8). Therefore, Maryland is equivalent to the Federal code. |                       |   |                  |                        |                        |                     |
| add new paragraph and subparagraphs addressing debris that is excluded from regulation provided it meets specified criteria:   | 261.3(f)              | 26.13.02.03E intro                            | X                |                        |                        |                     |
| Part 268-defined hazardous debris treated using a specified 268.45, Table 1, extraction or destruction technology; burden of proof on claimant in an enforcement action  | 261.3(f)(1)           | 26.13.02.03E(1)                               | X                |                        |                        |                     |
| Part 268-defined debris determined by Regional Administrator to no longer be contaminated with hazardous waste   | 261.3(f)(2)           | 26.13.02.03E(2)                               | X                |                        |                        |                     |
| PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE   |                       |   |                  |                        |                        |                     |
| SUBPART C - PRE-TRANSPORT REQUIREMENTS   |                       |   |                  |                        |                        |                     |
| ACCUMULATION TIME  |                       |   |                  |                        |                        |                     |
| replace ";" at the end of text with a ":"  | 262.34(a)(1)(iii)     | 26.13.03.05.E(1)(b)(iii) and E(1)(l)(i)       | X                |                        |                        |                     |
| replace "." with "; and/or"  | 262.34(a)(1)(iii)(B)  | 26.13.03.05.E(1)(l)(iii)                      | X                |                        |                        |                     |
| add new subparagraphs addressing waste placed in containment buildings; compliance with 265, Subpart DD; professional engineer certification of compliance with 265.1101 design standards placed in operating record no later than 60 days after the date of initial unit operation; requirements after February 18, 1993; records which must be maintained                            | 262.34(a)(1)(iv)      | 26.13.03.05.E(1)(b)(iv) & 26.13.03.05.E(1)(m) | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION           | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|------------------------------------|------------------|----------------|----------------|------------------|
|  |                       |                                    | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| written description of procedures to ensure each waste volume remains in unit for no more than 90 days; written description of waste generation and management practices for the facility showing that they are consistent with respecting the 90 day limit; documentation that procedures are complied with | 262.34(a)(1)(iv)(A)   | 26.13.03.05.E(1)(n)intro & (n)(ii) | X                |                |                |                  |
| documentation that unit is emptied at least once every 90 days   | 262.34(a)(1)(iv)(B)   | 26.13..03.05.E(1)(n)(i) & (E)(4)   | X                |                |                |                  |
| remove first paragraph numbered (a)(2) (including (a)(2)(i)&(ii)); remove unnumbered paragraph following (a)(2)(ii)  | 262.34(a)(2)          | 26.13.03.05.E(1)(e)                | X                |                |                |                  |

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

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

|  |               |                     |   |  |  |  |
|--|---------------|---------------------|---|--|--|--|
| remove "and" from the end of paragraph   | 264.110(b)(1) | 26.13.05.07.A(2)(a) | X |  |  |  |
| replace "." with ";  | 264.110(b)(2) | 26.13.05.07.A(2)(b) | X |  |  |  |
| replace "." with " and "   | 264.110(b)(3) | 26.13.05.07.A(2)(c) | X |  |  |  |
| add new paragraph addressing containment buildings that are required under 264.1102 to meet the requirements for landfills | 264.110(b)(4) | 26.13.05.07.A(2)(d) | X |  |  |  |

CLOSURE PERFORMANCE STANDARD

|   |            |                         |   |  |  |  |
|---|------------|-------------------------|---|--|--|--|
| change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102" | 264.111(c) | 26.13.05.07.B(3)(a)&(b) | X |  |  |  |
|---|------------|-------------------------|---|--|--|--|



Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION         | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|----------------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                                  | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| <b>CLOSURE PLAN; AMENDMENT OF PLAN</b>   |                       |                                  |                  |                        |                        |                     |
| replace "264.90 et seq." with "subpart F of this part"; change "and 264.601" to ", 264.601 and 264.1102"   | 264.112(a)(2)         | 26.13.05.07.C(1)(b)              | X                |                        |                        |                     |
| <b>SUBPART H - FINANCIAL REQUIREMENTS</b>  |                       |                                  |                  |                        |                        |                     |
| <b>APPLICABILITY</b>   |                       |                                  |                  |                        |                        |                     |
| replace ", and" with ";"   | 264.140(b)(1)         | 26.13.05.08.A (in official regs) | X                |                        |                        |                     |
| replace "." with ";"   | 264.140(b)(2)         | 26.13.05.08.A                    | X                |                        |                        |                     |
| replace "." with "; and"   | 264.140(b)(3)         | 26.13.05.08.A                    | X                |                        |                        |                     |
| add new paragraph regarding containment buildings that are required under 264.1102 to meet the requirements for landfills  | 264.140(b)(4)         | 26.13.05.08.A                    | X                |                        |                        |                     |
| <b>COST ESTIMATE FOR CLOSURE</b>   |                       |                                  |                  |                        |                        |                     |
| change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102"  | 264.142(a)            | 26.13.05.08.A                    | X                |                        |                        |                     |
| <b>SUBPART DD - CONTAINMENT BUILDINGS</b>  |                       |                                  |                  |                        |                        |                     |
| <b>APPLICABILITY</b>   |                       |                                  |                  |                        |                        |                     |
| applies to owners/operators storing or treating hazardous waste in units designed and operated under 264.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit: | 264.1100              | 26.13.05.18.A&.B intro & B(1)    | X                |                        |                        |                     |
| is a completely enclosed, self-supporting structure designed and constructed as specified  | 264.1100(a)           | 26.13.05.18.B(2) and B(3)        | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION         | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|----------------------------------|------------------|----------------|----------------|------------------|
|  |                       |                                  | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit   | 264.1100(b)           | 26.13.05.18.B(4)                 | X                |                |                |                  |
| if used to manage liquids:   | 264.1100(c)           | 26.13.05.18.B(5)                 | X                |                |                |                  |
| primary barrier designed and constructed to prevent migration of hazardous constituents into barrier   | 264.1100(c)(1)        | 26.13.05.18.B(5)(a)              | X                |                |                |                  |
| liquid collection system to minimize accumulation of liquid on primary barrier   | 264.1100(c)(2)        | 26.13.05.18.B(5)(b)              | X                |                |                |                  |
| secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 264.1101(b)(4) | 264.1100(c)(3)        | 26.13.05.18.B(5)(c)              | X                |                |                |                  |
| controls to prevent fugitive dust emissions to meet 264.1101(c)(1)(iv) standards   | 264.1100(d)           | 26.13.05.18.B(6)                 | X                |                |                |                  |
| designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment  | 264.1100(e)           | 26.13.05.18.B(7)                 | X                |                |                |                  |
| <b>DESIGN AND OPERATING STANDARDS</b>  |                       |                                  |                  |                |                |                  |
| all containment buildings must comply with following design standards:   | 264.1101(a)           | 26.13.05.18-1.A intro            | X                |                |                |                  |
| completely enclosed as specified   | 264.1101(a)(1)        | 26.13.05.18-1.A(1) intro- (1)(b) | X                |                |                |                  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION           | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|------------------------------------|------------------|------------------------|------------------------|---------------------|
|   |                       |                                    | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply: | 264.1101(a)(2)        | 26.13.05.18-1.A(2) intro - (3)(a), | X                |                        |                        |                     |
| provide effective barrier against fugitive dust emissions under 264.1101(c)(1)(iv)  | 264.1101(a)(2)(i)     | 26.13.05.18-1.A(3)(b)              | X                |                        |                        |                     |
| unit designed and operated so that wastes do not contact openings   | 264.1101(a)(2)(ii)    | 26.13.05.18-1.A(3)(c)              | X                |                        |                        |                     |
| no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail  | 264.1101(a)(3)        | 26.13.05.18-2.B(8)                 | X                |                        |                        |                     |
| must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics  | 264.1101(a)(4)        | 26.13.05.18-1.A(4) intro- .A(4)(b) | X                |                        |                        |                     |
| requirements for hazardous waste containing free liquids or treated with free liquids:  | 264.1101(b) intro     | 26.13.05.18-1.B intro & 18-1.C     | X                |                        |                        |                     |
| primary barrier to prevent migration of hazardous constituents into the barrier   | 264.1101(b)(1)        | 26.13.05.18-1.B(1)                 | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION   | ANALOGOUS STATE CITATION             | STATE ANALOG IS: |                        |                        |                     |
|--|-------------------------|--------------------------------------|------------------|------------------------|------------------------|---------------------|
|  |                         |                                      | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| liquid collection and removal system to minimize accumulation of liquid on primary barrier:  | 264.1101(b)(2)          | 26.13.05.18-1.B(2)                   | X                |                        |                        |                     |
| primary barrier sloped to drain liquids to collection system   | 264.1101(b)(2)(i)       | 26.13.05.18-1.B(3)                   | X                |                        |                        |                     |
| liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time                          | 264.1101(b)(2)(ii)      | 26.13.05.18-1.B(4)                   | X                |                        |                        |                     |
| secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified        | 264.1101(b)(3) intro    | 26.13.05.18-1.B(5)                   | X                |                        |                        |                     |
| what must be installed at a minimum to satisfy leak detection component of secondary containment system  | 264.1101(b)(3)(i) intro | 26.13.05.18-1.B(6) intro             | X                |                        |                        |                     |
| constructed with 1% or greater bottom slope  | 264.1101(b)(3)(i)(A)    | 26.13.05.18-1.B(6)(a)                | X                |                        |                        |                     |
| granular, synthetic, or geonet drainage materials as specified   | 264.1101(b)(3)(i)(B)    | 26.13.05.18-1.B(6)(b)                | X                |                        |                        |                     |
| if treatment conducted in building, treatment area designed to prevent releases to other portions of building                                  | 264.1101(b)(3)(ii)      | 26.13.05.18-1.B(7)                   | X                |                        |                        |                     |
| secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system | 264.1101(b)(3)(iii)     | 26.13.05.18-1.B(8) & 26.13.05.18-1.F | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must: | 264.1101(b)(4)        | No State analog          | X                |                |                |                  |
| 2. provide written notice by February 18, 1993; what notice must contain  | 264.1101(b)(4)(i)     | No State analog          | X                |                |                |                  |
| respond to Regional Administrator comments within 30 days   | 264.1101(b)(4)(ii)    | No State analog          | X                |                |                |                  |
| if approved, fulfill terms of revised plans   | 264.1101(b)(4)(iii)   | No State analog          | X                |                |                |                  |

**Interpretative Comment.** Maryland has not adopted the Federal provisions at 40 CFR 264.1101(b)(4) addressing the procedures for petitioning for a two-year delay of the secondary containment requirements because the Federal variance requirement apply to owners and operators who applied for the variance by November 18, 1992. Because this date has passed and the Federal variance was only effective for two years, Maryland is equivalent to the Federal code.

|   |                      |                           |   |  |  |  |
|---|----------------------|---------------------------|---|--|--|--|
| owners and operators of all containment buildings must:   | 264.1101(c)          | 26.13.05.18-2.A           | X |  |  |  |
| use controls and practices to ensure containment of hazardous waste within unit; at a minimum:                                      | 264.1101(c)(1) intro | 26.13.05.18-2.A & B intro | X |  |  |  |
| maintain primary barrier as specified   | 264.1101(c)(1)(i)    | 26.13.05.18-2.B(1)        | X |  |  |  |
| maintain level of stored/treated hazardous waste as specified   | 264.1101(c)(1)(ii)   | 26.13.05.18-2.B(2)        | X |  |  |  |
| take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management | 264.1101(c)(1)(iii)  | 26.13.05.18-2.B(3) & B(4) | X |  |  |  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION        | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|---------------------------------|------------------|----------------|----------------|------------------|
|  |                       |                                 | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained   | 264.1101(c)(1)(iv)    | 26.13.05.18-2.B(5), B(6) & B(7) | X                |                |                |                  |
| certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit | 264.1101(c)(2)        | 26.13.05.18-2C intro – C(2)     | X                |                |                |                  |
| prompt repairs of unit throughout active life as specified, according to the following procedures:   | 264.1101(c)(3) intro  | 26.13.05.18-2.D(1)              | X                |                |                |                  |
| 3. detection of condition that has led to a release; leakage from primary barrier; owner or operator must:   | 264.1101(c)(3)(i)     | 26.13.05.18-2.D(2) intro        | X                |                |                |                  |
| enter record of discovery in facility operating record   | 264.1101(c)(3)(i)(A)  | 26.13.05.18-2.D(2)(a)           | X                |                |                |                  |
| immediately remove portion of containment building affected by the condition from service  | 264.1101(c)(3)(i)(B)  | 26.13.05.18-2.D(2)(b)           | X                |                |                |                  |
| determine steps to be taken for repair, remove leakage from secondary collection system and establish schedule for cleanup and repairs   | 264.1101(c)(3)(i)(C)  | 26.13.05.18-2.D(2)(c) – (e))    | X                |                |                |                  |
| within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include  | 264.1101(c)(3)(i)(D)  | 26.13.05.18-2.D(2)(f) & (g)     | X                |                |                |                  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|---|------------------|------------------------|------------------------|---------------------|
|   |                       |   | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing                                  | 264.1101(c)(3)(ii)    | 26.13.05.18-2.D(3)                      | X                |                        |                        |                     |
| written notification to Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 264.1101(c)(3)(i)(D) plan | 264.1101(c)(3)(iii)   | 26.13.05.18-2.D(4)                      | X                |                        |                        |                     |
| what must be inspected and recorded in facility's operating records, at least once every seven days   | 264.1101(c)(4)        | 26.13.05.18-2.E                         | X                |                        |                        |                     |
| for containment buildings that contain areas both with and without secondary containment, the owner/operator must:  | 264.1101(d)           | 26.13.05.18-2.F intro & 26-13.05.18-1.D | X                |                        |                        |                     |
| design and operate each area in accordance with 264.1101(a)-(c) requirements  | 264.1101(d)(1)        | 26.13.05.18-2.F(1) & 26.13.05.18-1.D    | X                |                        |                        |                     |
| take measures to prevent release of liquids or wet materials into areas without secondary containment   | 264.1101(d)(2)        | 26.13.05.18-2.F(2)                      | X                |                        |                        |                     |
| maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment  | 264.1101(d)(3)        | 26.13.05.18-2.F(3)                      | X                |                        |                        |                     |
| Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate   | 264.1101(e)           | 26.13.05.18-1.E                         | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION         | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|----------------------------------|------------------|----------------|----------------|------------------|
|  |                       |                                  | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| <b>CLOSURE AND POST-CLOSURE CARE</b>   |                       |                                  |                  |                |                |                  |
| what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 264 Subpart G & H requirements  | 264.1102(a)           | 26.13.05.18-3.A & B              | X                |                |                |                  |
| if 264.1102(a) requirements met and not all contaminated subsoils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 264.310; owner/operator must meet 264 Subpart G & H requirements for landfills reserved | 264.1102(b)           | 26.13.05.18-3.C                  | X                |                |                |                  |
|  | 264.1103-264.1110     | Not applicable                   |                  |                |                |                  |
| <b>PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES</b>   |                       |                                  |                  |                |                |                  |
| <b>SUBPART G - CLOSURE AND POST-CLOSURE</b>  |                       |                                  |                  |                |                |                  |
| <b>APPLICABILITY</b>   |                       |                                  |                  |                |                |                  |
| remove "and" from end of paragraph   | 265.110(b)(1)         | 26.13.06.12A(1) (official regs.) | X                |                |                |                  |
| remove "and" from end of paragraph   | 265.110(b)(2)         | 26.13.06.12A(2)                  | X                |                |                |                  |
| replace "." with "; and"   | 265.110(b)(3)         | 26.13.06.12A(3)                  | X                |                |                |                  |
| add new paragraph addressing containment buildings that are required under 265.1102 to meet the requirements for landfills   | 265.110(b)(4)         | 26.13.06.12A(4)                  | X                |                |                |                  |
| <b>CLOSURE PERFORMANCE STANDARD</b>  |                       |                                  |                  |                |                |                  |
| change "and 265.404" to ", 265.404, and 264.1102"  | 265.111(c)            | 26.13.06.07B(3)                  | X                |                |                |                  |
| <b>CLOSURE PLAN; AMENDMENT OF PLAN</b>   |                       |                                  |                  |                |                |                  |



Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|   |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| 5. replace "§§ 265.90 et seq." with "subpart F of this part, §§"; change ", and 265.404" to ", 265.404, and 264.1102" | 265.112(d)(4)         | 26.13.06.08E(10)         | X                |                        |                        |                     |

SUBPART H - FINANCIAL REQUIREMENTS

APPLICABILITY

|   |               |                     |   |  |  |  |
|---|---------------|---------------------|---|--|--|--|
| 265.144 and 265.146 apply only to owners and operators of:        | 265.140(b)    | IBR at 26.13.06.16A | X |  |  |  |
| disposal facilities   | 265.140(b)(1) | IBR at 26.13.06.16A | X |  |  |  |
| tank systems required to meet landfill requirements under 264.197 | 265.140(b)(2) | IBR at 26.13.06.16A | X |  |  |  |
| containment buildings required to meet landfill requirements      | 265.140(b)(3) | IBR at 26.13.06.16A | X |  |  |  |

COST ESTIMATE FOR CLOSURE

|  |            |                     |   |  |  |  |
|--|------------|---------------------|---|--|--|--|
| replace "of §§ 265.178" with "in §§ 265.178"; change "and 265.404" to ", 265.404 and 265.1102" | 265.142(a) | IBR at 26.13.06.16A | X |  |  |  |
|--|------------|---------------------|---|--|--|--|

SUBPART K - SURFACE IMPOUNDMENTS

DESIGN AND OPERATING REQUIREMENTS

|   |            |                 |   |  |  |  |
|---|------------|-----------------|---|--|--|--|
| add new paragraph regarding surface impoundments newly subject to RCRA §3005(j)(1) must be in compliance with 265.221(a),(c)&(d) no later than 48 months after additional characteristic or listing promulgation; Part 268 land disposal prohibitions or an extension to an effective date, within the 48-month period, shall not cut short compliance period | 265.221(h) | No State analog | X |  |  |  |
|---|------------|-----------------|---|--|--|--|

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|----------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|                      |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |

SUBPART DD - CONTAINMENT BUILDINGS

APPLICABILITY

|  |                |  |   |  |  |  |
|--|----------------|--|---|--|--|--|
| applies to owners/operators storing or treating hazardous waste in units designed and operated under 265.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit: | 265.1100       | 26.13.06.29/<br>26.13.05.18.A&.B<br>intro & B(1) | X |  |  |  |
| is a completely enclosed, self supporting structure designed and constructed as specified  | 265.1100(a)    | 26.13.06.29/<br>26.13.05.18.B(2)<br>and B(3)     | X |  |  |  |
| has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit   | 265.1100(b)    | 26.13.06.29/<br>26.13.05.18.B(4)                 | X |  |  |  |
| if used to manage liquids:   | 265.1100(c)    | 26.13.06.29/<br>26.13.05.18.B(5)                 | X |  |  |  |
| primary barrier designed and constructed to prevent migration of hazardous constituents into barrier   | 265.1100(c)(1) | 26.13.06.29/<br>26.13.05.18.B(5)(a)              | X |  |  |  |
| liquid collection system to minimize accumulation of liquid on primary barrier   | 265.1100(c)(2) | 26.13.06.29/<br>26.13.05.18.B(5)(b)              | X |  |  |  |
| secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 265.1101(b)(4)   | 265.1100(c)(3) | 26.13.06.29/<br>26.13.05.18.B(5)(c)              | X |  |  |  |
| 6. controls to prevent fugitive dust emissions   | 265.1100(d)    | 26.13.06.29/<br>26.13.05.18.B(6)                 | X |  |  |  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                              | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|---|------------------|------------------------|------------------------|---------------------|
|   |                       |   | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment   | 265.1100(e)           | 26.13.06.29/<br>26.13.05.18.B(7)                      | X                |                        |                        |                     |
| <b>DESIGN AND OPERATING STANDARDS</b>   |                       |   |                  |                        |                        |                     |
| all containment buildings must comply with following design standards:  | 265.1101(a)           | 26.13.06.29/<br>26.13.05.18-1.A<br>intro              | X                |                        |                        |                     |
| completely enclosed as specified  | 265.1101(a)(1)        | 26.13.06.29/<br>26.13.05.18-1.A(1)<br>intro- (1)(b)   | X                |                        |                        |                     |
| design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply: | 265.1101(a)(2)        | 26.13.06.29/<br>26.13.05.18-1.A(2)<br>intro - (3)(a), | X                |                        |                        |                     |
| provide effective barrier against fugitive dust emissions under 265.1101(c)(1)(iv)  | 265.1101(a)(2)(i)     | 26.13.06.29/<br>26.13.05.18-<br>1.A(3)(b)             | X                |                        |                        |                     |
| unit designed and operated so that wastes do not contact openings   | 265.1101(a)(2)(ii)    | 26.13.06.29/<br>26.13.05.18-<br>1.A(3)(c)             | X                |                        |                        |                     |
| no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail  | 265.1101(a)(3)        | 26.13.06.29/<br>26.13.05.18-2.B(8)                    | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                          | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|---|------------------|----------------|----------------|------------------|
|  |                       |   | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics | 265.1101(a)(4)        | 26.13.06.29/<br>26.13.05.18-1.A(4)                | X                |                |                |                  |
| requirements for hazardous waste containing free liquids or treated with free liquids:   | 265.1101(b)           | 26.13.06.29/<br>26.13.05.18-1.B<br>intro & 18-1.C | X                |                |                |                  |
| primary barrier to prevent migration of hazardous constituents into the barrier  | 265.1101(b)(1)        | 26.13.06.29/<br>26.13.05.18-1.B(1)                | X                |                |                |                  |
| liquid collection and removal system to prevent accumulation of liquid on primary barrier:   | 265.1101(b)(2)        | 26.13.06.29/<br>26.13.05.18-1.B(2)                | X                |                |                |                  |
| primary barrier sloped to drain liquids to collection system   | 265.1101(b)(2)(i)     | 26.13.06.29/<br>26.13.05.18-1.B(3)                | X                |                |                |                  |
| liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time to protect human health and environment                    | 265.1101(b)(2)(ii)    | 26.13.06.29/<br>26.13.05.18-1.B(4)                | X                |                |                |                  |
| secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified  | 265.1101(b)(3)        | 26.13.06.29/<br>26.13.05.18-1.B(5)                | X                |                |                |                  |
| what must be installed at a minimum to satisfy leak detection component of secondary containment system  | 265.1101(b)(3)(i)     | 26.13.06.29/<br>26.13.05.18-1.B(6)<br>intro       | X                |                |                |                  |
| construct with 1% or greater bottom slope  | 265.1101(b)(3)(i)(A)  | 26.13.06.29/<br>26.13.05.18-1.B(6)(a)             | X                |                |                |                  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                                | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|---|------------------|------------------------|------------------------|---------------------|
|   |                       |   | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| granular, synthetic, or geonet drainage materials as specified  | 265.1101(b)(3)(i)(B)  | 26.13.06.29/<br>26.13.05.18-1.B(6)(b)                   | X                |                        |                        |                     |
| if treatment conducted in building, treatment area designed to prevent releases to other portions of building   | 265.1101(b)(3)(ii)    | 26.13.06.29/<br>26.13.05.18-1.B(7)                      | X                |                        |                        |                     |
| secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system  | 265.1101(b)(3)(iii)   | 26.13.06.29/<br>26.13.05.18-1.B(8)<br>& 26.13.05.18-1.F | X                |                        |                        |                     |
| for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must: | 265.1101(b)(4)        | No State analog   | X                |                        |                        |                     |
| provide written notice by February 18, 1993; what notice must contain   | 265.1101(b)(4)(i)     | No State analog   | X                |                        |                        |                     |
| respond to Regional Administrator comments within 30 days   | 265.1101(b)(4)(ii)    | No State analog   | X                |                        |                        |                     |
| if approved, fulfill terms of revised plans   | 265.1101(b)(4)(iii)   | No State analog   | X                |                        |                        |                     |
| owners and operators of all containment buildings must:   | 265.1101(c)           | 26.13.06.29/<br>26.13.05.18-2.A                         | X                |                        |                        |                     |
| use controls and practices to ensure containment of hazardous waste within unit; at a minimum:  | 265.1101(c)(1)        | 26.13.06.29/<br>26.13.05.18-2.A & B<br>intro            | X                |                        |                        |                     |
| maintain primary barrier as specified   | 265.1101(c)(1)(i)     | 26.13.06.29/<br>26.13.05.18-2.B(1)                      | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                        | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|---|------------------|----------------|----------------|------------------|
|  |                       |   | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| maintain level of stored/treated hazardous waste as specified  | 265.1101(c)(1)(ii)    | 26.13.06.29/<br>26.13.05.18-2.B(2)              | X                |                |                |                  |
| take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management  | 265.1101(c)(1)(iii)   | 26.13.06.29/<br>26.13.05.18-2.B(3) & B(4)       | X                |                |                |                  |
| take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained   | 265.1101(c)(1)(iv)    | 26.13.06.29/<br>26.13.05.18-2.B(5), B(6) & B(7) | X                |                |                |                  |
| certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit | 265.1101(c)(2)        | 26.13.06.29/<br>26.13.05.18-2C intro – C(2)     | X                |                |                |                  |
| prompt repairs of unit throughout active life, according to the following procedures:  | 265.1101(c)(3)        | 26.13.06.29/<br>26.13.05.18-2.D(1)              | X                |                |                |                  |
| detection of condition that has led to a release; leakage from primary barrier; owner or operator must:  | 265.1101(c)(3)(i)     | 26.13.06.29/<br>26.13.05.18-2.D(2) intro        | X                |                |                |                  |
| enter record of discovery in facility operating record   | 265.1101(c)(3)(i)(A)  | 26.13.06.29/<br>26.13.05.18-2.D(2)(a)           | X                |                |                |                  |
| immediately remove portion of containment building affected by the condition from service  | 265.1101(c)(3)(i)(B)  | 26.13.06.29/<br>26.13.05.18-2.D(2)(b)           | X                |                |                |                  |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                                   | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|--|------------------|------------------------|------------------------|---------------------|
|   |                       |  | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| determine steps to be taken for repair; remove leakage from secondary collection system and establish schedule for cleanup and repairs  | 265.1101(c)(3)(i)(C)  | 26.13.06.29/<br>26.13.05.18-2.D(2)<br>(c) – (e))           | X                |                        |                        |                     |
| within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include   | 265.1101(c)(3)(i)(D)  | 26.13.06.29/<br>26.13.05.18-2.D(2)<br>(f) & (g)            | X                |                        |                        |                     |
| Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing                                  | 265.1101(c)(3)(ii)    | 26.13.06.29/<br>26.13.05.18-2.D(3)                         | X                |                        |                        |                     |
| written notification of Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 265.1101(c)(3)(i)(D) plan | 265.1101(c)(3)(iii)   | 26.13.06.29/<br>26.13.05.18-2.D(4)                         | X                |                        |                        |                     |
| what must be inspected and recorded in facility's operating records, at least once every seven days   | 265.1101(c)(4)        | 26.13.06.29/<br>26.13.05.18-2.E                            | X                |                        |                        |                     |
| for containment building that contains both areas with and without secondary containment, the owner/operator must:  | 265.1101(d)           | 26.13.06.29/<br>26.13.05.18-2.F<br>intro & 26-13.05.18-1.D | X                |                        |                        |                     |
| design and operate each area in accordance with 265.1101(a)-(c) requirements  | 265.1101(d)(1)        | 26.13.06.29/<br>26.13.05.18-2.F(1)<br>& 26.13.05.18-1.D    | X                |                        |                        |                     |

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION           | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|------------------------------------|------------------|----------------|----------------|------------------|
|  |                       |                                    | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| take measures to prevent release of liquids or wet materials into areas without secondary containment  | 265.1101(d)(2)        | 26.13.06.29/<br>26.13.05.18-2.F(2) | X                |                |                |                  |
| maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment | 265.1101(d)(3)        | 26.13.06.29/<br>26.13.05.18-2.F(3) | X                |                |                |                  |
| Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate  | 265.1101(e)           | 26.13.06.29/<br>26.13.05.18-1.E    | X                |                |                |                  |

CLOSURE AND POST-CLOSURE CARE

|   |                   |                                      |   |  |  |  |
|---|-------------------|--------------------------------------|---|--|--|--|
| what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 265 Subparts G & H requirements  | 265.1102(a)       | 26.13.06.29/<br>26.13.05.18-3.A & .B | X |  |  |  |
| if 265.1102(a) requirements met and not all contaminated soils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 265.310; owner/operator must meet 265 Subparts G & H requirements for landfills | 265.1102(b)       | 26.13.06.29/<br>26.13.05.18-3.C      | X |  |  |  |
| reserved  | 265.1103-265.1110 | Not applicable                       | X |  |  |  |

PART 268 - LAND DISPOSAL RESTRICTIONS

Maryland has not yet adopted the Part 268 provisions. For the final rule addressed by this checklist, the State is only adopting the requirements for containment buildings.

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

SUBPART B - PERMIT APPLICATION



Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

CONTENTS OF PART A OF THE PERMIT APPLICATION

|  |           |                 |    |  |  |  |
|--|-----------|-----------------|----|--|--|--|
| for hazardous debris, description of debris category(ies) and contaminant category(ies) to be treated, stored or disposed of at facility | 270.13(n) | Not yet adopted | NA |  |  |  |
|--|-----------|-----------------|----|--|--|--|

CONTENTS OF PART B: GENERAL REQUIREMENTS

|  |              |                 |    |  |  |  |
|--|--------------|-----------------|----|--|--|--|
| insert "and hazardous debris" after "hazardous waste"; insert "of this chapter" after "part 264" | 270.14(b)(2) | Not yet adopted | NA |  |  |  |
|--|--------------|-----------------|----|--|--|--|

SUBPART D - CHANGES TO PERMITS

PERMIT MODIFICATIONS AT THE REQUEST OF THE PERMITTEE

|   |                     |                 |  |  |   |  |
|---|---------------------|-----------------|--|--|---|--|
| replace "of restricted wastes" with ", or in containment buildings" | 270.42(e)(3)(ii)(B) | No State analog |  |  | X |  |
|---|---------------------|-----------------|--|--|---|--|

**Interpretive Comment:** Maryland has no analog to the Federal provision at 40 CFR 270.42(e) which was originally added to the Federal code by the final rule addressed by Revision Checklist 54 and amended by Checklist 109. The State is more stringent because it does not provide for temporary authorizations.

APPENDIX I TO SECTION 270.42

CLASSIFICATION OF PERMIT MODIFICATION

|                          |                         |                 |  |  |   |  |
|--------------------------|-------------------------|-----------------|--|--|---|--|
| add entry 6 to section I | 270.42 Appendix I, I(6) | No State analog |  |  | X |  |
|--------------------------|-------------------------|-----------------|--|--|---|--|

**Interpretive Comment.** The Federal provision classifies the conversion of an enclosed waste pile to a container building unit as a Class 2 modification. Unlike the Federal code which has three classes of permit modifications, Maryland only lists minor modifications (Class 1 under Federal) in 26.13.07.13-2. Any modification not listed in 26.13.07.13-2 is a major modification in Maryland. Maryland is more stringent because the State treats the Class 2 modification of Item I(6) in the Federal code as a major modification.

|                   |                      |                    |  |  |   |  |
|-------------------|----------------------|--------------------|--|--|---|--|
| add new section M | 270.42 Appendix I, M | 26.13.07.13-2A(12) |  |  | X |  |
|-------------------|----------------------|--------------------|--|--|---|--|

**Interpretative Comment** Maryland has adopted the Federal Class 1 modifications at Item M of 40 CFR 270.42 Appendix I as part of its minor modifications. The State is more stringent because it treats the Federal Class 2 and 3 permit modifications for containment buildings as major modifications.

SUBPART G - INTERIM STATUS

CHANGES DURING INTERIM STATUS

Checklist 109 – Containment Building Provisions Only

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| remove "or" before "containers" and insert "or containment buildings" after "containers"; in two places, insert "of this chapter" after "Part 268" | 270.72(b)(6)          | 26.13.07.23.C(3)(f)      | X                |                        |                        |                     |

NOTES:

1. (262.34(a)(2)) This revision fixes an error in the July 1, 1991 CFR which makes it appear that there are two paragraphs designated as 262.34(a)(2) (see the editorial note in the CFR). Revision Checklist 82 originally inserted the first 262.34(a)(2), 262.34(a)(2)(i), 262.34(a)(2)(ii) and redesignated the old 262.34(a)(2)-(4) as 262.34(a)(3)-(5). However, Revision Checklist 92 redesignated 262.34(a)(3) as 262.34(a)(2), effectively removing the first 262.34(a)(2) and incorporating these requirements into 262.34(a)(1) at 262.34(a)(1)(iii) and (iii)(A)&(B). It was not the Agency's intent to include these requirements both at 262.34(a)(1)(iii)(A)&(B) and at 262.34(a)(2) as is indicated in the July 1, 1991 CFR. The first 262.34(a)(2) in that CFR should not be in the code. Revision Checklist 92 also redesignated 262.34(a)(3)-(5) as 262.34(a)(2)-(4), i.e., returned these subparagraphs to their original numbering prior to the redesignation by Revision Checklist 82. The revision, which is part of Revision Checklist 109, removes the first 262.34(a)(2), returning the code to what was intended by Checklist 92.
2. (264.1101(b)(4)(i)) Note that there is an error in the Federal Register; the deadline for the written notice should be February 18, 1993, rather than November 16, 1992 as it appears in the Federal Register, in keeping with the effective date of these provisions, with the preamble to the rule at 57 FR 37215 (second full paragraph in the right-hand column), and with the similar provision under 265.1101(b)(4)(i).
3. (264.1101(c)(3)(i)) Note that there is a typographical error in the Federal Register; "lead" should be "led."
4. (265.111(c)) There is a typographical error in the Federal Register article for this rule. The internal reference to "264.1102" should be to "265.1102".
5. (265.112(d)(4)) Note that the Federal Register for this rule introduces an error into the second-to-last sentence of this subparagraph by inserting an extraneous "with" between "§§" and "265.111."
6. (265.1100(d)) Note there is an error in the Federal Register article for this rule. The phrase "as needed to permit" should read "as needed to prevent."

**RCRA REVISION CHECKLIST 117B**

Toxicity Characteristic Amendment  
 57 FR 23062-23063  
 June 1, 1992  
 (RCRA Cluster III, HSWA provision)

Note: The Toxicity Characteristic rule [55 FR 11798 (March 29, 1990); Revision Checklist 74] and its subsequent amendments [55 FR 26986 (June 29, 1990) and 57 FR 30657 (July 10, 1992); Revision Checklist 74] omitted changing the reference to the "Extraction Procedure Toxicity Characteristic" at 261.3(a)(2)(i). The March 3, 1992 reissuance of the "mixture" and "derived-from" rules, reissued 261.3 with that error still in it. The June 1, 1992 amendment (57 FR 23062) to that reissued code corrected this error. Because this change makes the Federal code more stringent, it is required and was placed in a checklist separate from the other provisions (considered optional, for States) addressing the reissuance of the "mixture" and "derived-from" rules.

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION            | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|-------------------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                                     | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| <b>PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE</b>                    |                       |                                     |                  |                        |                        |                     |
| <b>SUBPART A - GENERAL</b>   |                       |                                     |                  |                        |                        |                     |
| <b>DEFINITION OF HAZARDOUS WASTE</b>   |                       |                                     |                  |                        |                        |                     |
| change "Extraction Procedure Toxicity characteristic" to "Toxicity Characteristic" | 261.3(a)(2)(i)        | 26.13.02.03A(2)(a) & 26.13.02.03A-1 | X                |                        |                        |                     |

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RCRA REVISION CHECKLIST 129

Revision of Conditional Exemption for  
 Small Scale Treatability Studies  
 59 FR 8362-8366  
 February 18, 1994  
 (RCRA Cluster IV, Non-HSWA provisions)

1) This rule revises the July 19, 1988 (53 FR 27290) Treatability Studies Sample Exemption Rule addressed by Revision Checklist 49. States which are not authorized for Revision Checklist 49 are encouraged to adopt these present revisions at the same time the requirements addressed by Revision Checklist 49 are adopted.

2) As with the July 19, 1988 rule, States are not required to adopt these present revisions because they are less stringent or reduce the scope of the existing Federal requirements. However, EPA strongly encourages States to adopt these revisions. In addition, the Agency plans to work with States to encourage timely adoption of this rule because of its benefits to the development of treatment capacity.

Name Of State: MARYLAND

State Statutory Authority: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland (1996

Replacement Volume and 1999 Cumulative Supplement)

Title of Regulations: MARCH 2003 DRAFT AMENDMENTS TO COMAR 26.13 Effective Date: \_\_\_\_\_

Date Checklist Completed: \_\_\_\_\_

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|----------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|                      |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A – GENERAL

† EXCLUSIONS

|   |                |                   |   |  |  |  |
|---|----------------|-------------------|---|--|--|--|
| replace "1000 kg of any non-acute hazardous waste" with "10,000 kg of media contaminated with non-acute hazardous waste, 1000 kg of non-acute hazardous waste other than contaminated media"; replace "or 250 kg of soils, water, or debris" with "2500 kg media" | 261.4(e)(2)(i) | 26.13.02.04-4B(1) | X |  |  |  |
|---|----------------|-------------------|---|--|--|--|

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| replace "1000 kg of non-acute hazardous waste, 1 kg of acute hazardous waste, or 250 kg of soils, water, or debris contaminated with acute hazardous waste" with "10,000 kg; the 10,000 kg quantity may be all media contaminated with non-acute hazardous waste, or may include 2500 kg of media contaminated with acute hazardous waste, 1000 kg of hazardous waste, and 1 kg of acute hazardous waste" | 261.4(e)(2)(ii)       | 26.13.02.04-4B(2)        | X                |                |                |                  |

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                   | STATE ANALOG IS: |                |                |                  |
|---|-----------------------|--|------------------|----------------|----------------|------------------|
|   |                       |  | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| completely revise paragraph; add a new first sentence regarding requests for treatability studies involving bioremediation; delete the phrase ", or State Director (if located in an authorized State)," after "The Regional Administrator"; delete commas around the phrase "on a case-by-case basis"; change "paragraph (e)(2)(i)" to "paragraphs (e)(2)(i)&(ii) and (f)(4)"; replace "500 kg of non-acute hazardous waste," with "5000 kg of media contaminated with non-acute hazardous waste, 500 kg of non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste and"; delete the phrase ", and 250 kg of soils, water..to conduct further treatability study evaluation when"; restructure the remaining portions of paragraph 261.4(e)(3) starting with "There has been an equipment failure..." and "The additional quantities allowed...", and redesignate them as new subparagraphs (e)(3)(ii) and (e)(3)(iii) | 261.4(e)(3)           | 26.13.02.04-4C(1)(a)<br>and 26.13.03.04-4D | X                |                |                |                  |
| 1. redesignate old 261.4(e)(3)(i) as 261.4(e)(3)(iii)(A); add new subparagraph regarding factors to be considered when reviewing requests for authorization to ship, store and conduct treatability studies   | 261.4(e)(3)(i)        | 26.13.02.04-4C(1)(a)&(b)                   | X                |                |                |                  |

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION                                       | STATE ANALOG IS: |                |                |                  |
|--|-----------------------|--|------------------|----------------|----------------|------------------|
|  |                       |  | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| redesignate old 261.4(e)(3)(ii) as 261.4(e)(3)(iii)(B); the third to the last sentence ("There has been an equipment...specifications for treatment.") from the old 261.4(e)(3)(intro) becomes the new 261.4(e)(3)(ii); to the beginning of that sentence add the phrase "In response to requests for authorization to ship, store and conduct treatability studies on additional quantities after initiation or completion of initial treatability studies, when:"  | 261.4(e)(3)(ii)       | 26.13.02.04-4C(1)(c)   | X                |                |                |                  |
| redesignate old 261.4(e)(3)(iii) as 261.4(e)(3)(iii)(C); the last two sentences (beginning with "The additional quantities") from the old 261.4(e)(3)(intro) become the new 264.4(e)(3)(ii); revise the first of these two sentences by inserting the phrase "and timeframes" between "quantities" and "allowed" and replacing "are subject to all the provisions in paragraphs (e)(1) and (e)(2)(ii)(vi) of this section" with "in paragraph (e)(3)(i) and (ii) of this section are subject to all the provisions in paragraphs (e)(1) and (e)(2)(iii) through (vi) of this section." | 261.4(e)(3)(iii)      | 26.13.02.04-4C(2)&(3) and 4D(4) intro, (4)(a) and (4)(b) intro | X                |                |                |                  |
| 2. old 261.4(e)(3)(i) becomes 261.4(e)(3)(iii)(A); insert "time or" between both occurrences of "additional" and "quantity"; replace the semicolon at the end of the subparagraph with a comma   | 261.4(e)(3)(iii)(A)   | 26.13.02.04-4C(3)(a) and 4D(4)(b)(i)                           | X                |                |                |                  |
| old 261.4(e)(3)(ii) becomes 261.4(e)(3)(iii)(B); change "data" to "date" after "studies  | 261.4(e)(3)(iii)(B)   | 26.13.02.04-4C(3)(b) and                                       | X                |                |                |                  |



| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION               | STATE ANALOG IS: |                |                |                  |
|---|-----------------------|--|------------------|----------------|----------------|------------------|
|   |                       |  | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| including the"  |                       | 4D(4)(b)(ii)                           |                  |                |                |                  |
| old 261.4(e)(3)(iii) becomes 261.4(e)(3)(iii)(C)  | 261.4(e)(3)(iii)(C)   | 26.13.02.04-4C(3)(c) and 4D(4)(b)(ii)  | X                |                |                |                  |
| old 261.4(e)(3)(iv) becomes 261.4(e)(3)(iii)(D)   | 261.4(e)(3)(iii)(D)   | 26.13.02.04-4C(3)(d) and 4D(4)(b)(iii) | X                |                |                |                  |
| old 261.4(e)(3)(v) becomes 261.4(e)(3)(iii)(E)  | 261.4(e)(3)(iii)(E)   | 26.13.02.04-4C(3)(e) and 4D(4)(b)(iv)  | X                |                |                |                  |
| replace "250 kg of "as received" hazardous waste is subjected" with "10,000 kg of "as received" media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste or 250 kg of other "as received" hazardous waste is subject"  | 261.4(f)(3)           | 26.13.02.04-5A(3)                      | X                |                |                |                  |
| replace "1000 kg, the total of which can include 500 kg of soils, water, or debris contaminated with acute hazardous waste or" with "10,000 kg, the total of which can include 10,000 kg of media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, 1000 kg of non-acute hazardous wastes other than contaminated media, and"; in the last sentence delete the colon, remove text of 261.4(f)(4)(i) and the subparagraph designators "(i) and (ii)", including only the text of 261.4(f)(4)(ii), with "Treatment materials" changed to "treatment materials" | 261.4(f)(4)           | 26.13.02.04-5A(4)                      | X                |                |                |                  |

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION                 | ANALOGOUS STATE CITATION                                   | STATE ANALOG IS: |                        |                        |                     |
|--|---------------------------------------|--|------------------|------------------------|------------------------|---------------------|
|  |                                       |  | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| insert "(two years for treatability studies involving bioremediation)" after "no more than one year"; replace "has elapsed" with "have elapsed"; add two new sentences at the end of the paragraph regarding treated material from treatability studies that can be archived | 261.4(f)(5)                           | 26.13.02.04-5A(5) and 26.13.02.04-5(A)(11)(b)(i),(ii)&(iv) | X                |                        |                        |                     |
| Unused samples and residues (State has added language clarifying that unused samples and treatment residues sent to the generator from the facility conducting the treatability study are handled in the same manner as samples sent from the generator to the facility.)    | No Federal analog at 261.4(e) and (f) | 26.13.02.04-4E   | X                |                        |                        |                     |

<sup>1</sup>Note that there is a typographical error in this subparagraph; "treatabilty" should be "treatability."

<sup>2</sup>The replacement of the semi-colon with a comma at the end of 261.4(e)(iii)(A) may be a typographical error as other 261.4(e)(iii) subparagraphs (i.e., 261.4(e)(iii)(B)(D)) end with a semi-colon.

RCRA REVISION CHECKLIST 135

Recovered Oil Exclusion  
 59 FR 38536-38545  
 July 28, 1994  
 (RCRA Cluster V, Non-HSWA provisions)

**\*\*Maryland has not adopted federal regulations concerning the burning of hazardous waste in boilers and industrial furnaces (the BIF rules). Therefore no analog is provided for the provision relating to the BIF rules (266.100(b)(3).)\*\***

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

† DEFINITION OF HAZARDOUS WASTE

|  |                    |                   |   |  |  |  |
|--|--------------------|-------------------|---|--|--|--|
| change "(v) through (viii)" to "(iv) through (vi)" | 261.3(c)(2)(ii)(B) | 26.13.02.03C-1(2) | X |  |  |  |
|--|--------------------|-------------------|---|--|--|--|

± EXCLUSIONS

|  |              |                         |   |  |  |  |
|--|--------------|-------------------------|---|--|--|--|
| add new paragraph addressing exclusion for recovered oil from petroleum refining, exploration and production, and from transportation incident thereto, which is inserted in the petroleum refining process; applies to recovered oil stored or transported prior to insertion; definition of recovered oil; what "recovered oil" does not include | 261.4(a)(12) | 26.13.02.04A(15) & (16) | X |  |  |  |
|--|--------------|-------------------------|---|--|--|--|

RCRA REVISION CHECKLIST 135: Recovered Oil Exclusion (cont'd)

† REQUIREMENTS FOR RECYCLABLE MATERIALS

|  |                 |   |   |  |  |  |
|--|-----------------|---|---|--|--|--|
| after "practices", add<br>parenthetical phrase "this<br>exemption does not apply<br>to fuels produced from oil<br>recovered from oil-bearing<br>hazardous waste, where<br>such recovered oil is<br>already excluded under<br>§ 261.4(a)(12)" | 261.6(a)(3)(iv) | 26.13.02.06A-1(1)(c)<br>and Agency Note | X |  |  |  |
| remove old 261.6(a)(3)(v)<br>and redesignate old<br>261.6(a)(3)(vi) as new<br>261.6(a)(3)(v)   | 261.6(a)(3)(v)  | 26.13.02.06A-1(2)(c)<br>– (e)           | X |  |  |  |
| redesignate old<br>261.6(a)(3)(vii) as new<br>261.6(a)(3)(vi); replace the<br>phrase "at the same facility<br>at which such wastes were<br>generated" with "by the<br>same person who<br>generated the waste"                                | 261.6(a)(3)(vi) | Removed*                                | X |  |  |  |

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

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

† APPLICABILITY

|  |               |   |  |  |  |  |
|--|---------------|---|--|--|--|--|
| replace "(v-viii)" with "(iv)<br>through (vi)" | 266.100(b)(3) | N/A –BIF rule has not<br>been adopted by MD |  |  |  |  |
|--|---------------|---|--|--|--|--|

\* Removed by CL 169

RCRA REVISION CHECKLIST 136

Removal of the Conditional Exemption  
for Certain Slag Residues  
59 FR 43496-43500  
as amended August 24, 1994  
(RCRA Cluster V, HSWA provisions)

**\*\*At this time, Maryland is not adopting the land disposal restrictions (LDRs) as addressed by this checklist, therefore no analog is provided for those provisions relating to the land disposal restrictions.\*\***

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

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

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

|  |           |                 |   |  |  |  |
|--|-----------|-----------------|---|--|--|--|
| add new paragraph; uses of slags from HTMR processing of hazardous wastes K061, K062 and F006 not covered by 266.20(b) | 266.20(c) | 26.13.10.01A(4) | X |  |  |  |
|--|-----------|-----------------|---|--|--|--|

PART 268 - LAND DISPOSAL RESTRICTIONS (LDR)

SUBPART D - TREATMENT STANDARDS

|  |                       |   |  |  |  |  |
|--|-----------------------|---|--|--|--|--|
| redesignate Footnote 2 as Footnote 3 at the end of the table and at the "F020-F023 . . ." entry in the table; add reference to Footnote 2 at F006, K061 and K062; at end of table add a new Footnote 2: " <sup>2</sup> See also restrictions on use of slags for anti-skid/deicing purposes in §266.20(c)" | 268.41(a)/ Table CCWE | N/A – State has not adopted LDR requirements. |  |  |  |  |
|--|-----------------------|---|--|--|--|--|

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RCRA REVISION CHECKLIST 140

Carbamate Production Identification and Listing of Hazardous Waste

60 FR 7824-7859

February 9, 1995

as amended at 60 FR 19165, April 17, 1995

and at 60 FR 25619, May 12, 1995

(RCRA Cluster V, HSWA provisions)

Note: 1) On August 8, 1995, EPA published an interpretive rule in the Federal Register (see 60 FR 41817-41818) regarding a change in the Agency's interpretation of the February 9, 1995 rule that lists wastes from carbamate production as hazardous wastes under RCRA. Under this new interpretation, wastes from the production of non-carbamate intermediates that are used exclusively in the production of carbamates but are not produced at the ultimate site of manufacture of the carbamates will not be subject to the February 9, 1995 rule. These wastes are among those given in the RCRA waste code designations K156 and K157 in that rule.

2) On November 1, 1996, the U.S. Court of Appeals for the District of Columbia Circuit (*Dithiocarbamate Task Force v. EPA*, CA DC 95-1249, 11/1/96) vacated the following carbamate wastes listed by the February 9, 1995 (60 FR 7824) listing rule: U277, U365, U366, U375, U376, U377, U378, U379, U381, U382, U383, U384, U385, U386, U390, U391, U392, U393, U396, U400, U401, U402, U403, U407, and K160. In addition, the court vacated K156, K157 and K158 in so far as they encompass 3-iodo-2-propynyl n-butylcarbamate (IPBC), which was listed as product waste U375. These vacated wastes are not included on this checklist, because they are no longer required for authorization for this rule. States may choose to list these wastes as a matter of State law. In this case, the State-listed wastes will be broader in scope or more stringent than the Federal requirements, depending on whether or not the listed wastes also exhibit a 40 CFR 261, Subpart C hazardous waste characteristic.

3) States that incorporate the CFR by reference should be careful in their incorporation, particularly those States that have a statutory or regulatory restriction against being more stringent or broader in scope than the Federal requirements, because the U.S. Court of Appeals' vacatur may not be transferable to State law. See the special guidance for States that incorporate by reference on the Summary for this checklist.

END  
NOTES

| FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

DEFINITION OF HAZARDOUS WASTE

|   |                    |                   |   |  |  |  |
|---|--------------------|-------------------|---|--|--|--|
| † remove period at end of paragraph; add "; or" | 261.3(a)(2)(iv)(E) | 26.13.02.03A-2(5) | X |  |  |  |
|---|--------------------|-------------------|---|--|--|--|

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

| END NOTES | FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|-----------|--|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|           |  |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| †1        | add new paragraph which excludes as hazardous waste certain wastewaters from the production of carbamates and carbamoyl oximes (EPA Hazardous Waste No. K157); specific provisions which must be met   | 261.3(a)(2)(iv)(F)    | 26.13.02.03A-2(6)        | X                |                |                |                  |
| †1        | add new paragraph which excludes as hazardous waste certain wastewaters derived from the treatment of one or more of the wastes listed in 261.32--organic waste from the production of carbamates and carbamoyl oximes (EPA Hazardous Waste No. K156); specific provisions which must be met   | 261.3(a)(2)(iv)(G)    | 26.13.02.03A-2(7)        | X                |                |                |                  |
| †1        | add new paragraph which excludes as hazardous waste biological treatment sludge from the treatment of one of the wastes listed in 261.32--organic waste from the production of carbamates and carbamoyl oximes (EPA Hazardous Waste No. K156), and wastewaters from the production of carbamates and carbamoyl oximes (EPA Hazardous Waste No. K157) | 261.3(c)(2)(ii)(D)    | 26.13.02.03C-1(4)        | X                |                |                |                  |



SUBPART D--LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTE FROM SPECIFIC SOURCES

|   |   |        |             |   |  |  |  |
|---|---|--------|-------------|---|--|--|--|
| 1 | add the following "K" wastes in alphanumeric order (by the first column) to the subgroup "Organic chemicals": | 261.32 | 26.13.02.17 | X |  |  |  |
|---|---|--------|-------------|---|--|--|--|

| Industry and EPA hazardous waste No. | Hazardous waste | Hazard code |
|--------------------------------------|-----------------|-------------|
|--------------------------------------|-----------------|-------------|

|                    |  |       |
|--------------------|--|-------|
| Organic Chemicals: | * * * * *  |       |
|                    | * * * * *  |       |
| K156               | Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.   | (T)   |
| K157               | Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes.   | (T)   |
| K158               | Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes.   | (T)   |
| K159               | Organics from the treatment of thiocarbamate wastes.   | (T)   |
| K161               | Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust and floor sweepings from the production of dithiocarbamate acids and their salts.<br>(This listing does not include K125 or K126.). | (R,T) |

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

|     |  |           |              |   |  |  |  |
|-----|--|-----------|--------------|---|--|--|--|
| 2,3 | add the following "P" wastes in alphabetic order (by the third column) | 261.33(e) | 26.13.02.19E | X |  |  |  |
|-----|--|-----------|--------------|---|--|--|--|

| Hazardous waste No. | No. | Chemical abstracts Substance |
|---------------------|-----|------------------------------|
|---------------------|-----|------------------------------|

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

|      |            |   |   |   |   |   |   |   |   |
|------|------------|---|---|---|---|---|---|---|---|
|      |            |   | * | * | * | * | * | * | * |
| P203 | 1646-88-4  | Aldicarb sulfone.   |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P127 | 1563-66-27 | Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate.   |   |   |   |   |   |   |   |
| P188 | 57-64-7    | Benzoic acid, 2-hydroxy-, compd. with (3aS-cis)-1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo[2,3-b]indol-5-yl methylcarbamate ester (1:1). |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P189 | 55285-14-8 | Carbamic acid, [(dibutylamino)- thio]methyl-, 2,3-dihydro-2,2-dimethyl- 7-benzofuranyl ester.   |   |   |   |   |   |   |   |
| P191 | 644-64-4   | Carbamic acid, dimethyl-, 1-[(dimethyl-amino)carbonyl]- 5-methyl-1H- pyrazol-3-yl ester.  |   |   |   |   |   |   |   |
| P192 | 119-38-0   | Carbamic acid, dimethyl-, 3-methyl-1- (1-methylethyl)-1H- pyrazol-5-yl ester.   |   |   |   |   |   |   |   |
| P190 | 1129-41-5  | Carbamic acid, methyl-, 3-methylphenyl ester.   |   |   |   |   |   |   |   |
| P127 | 1563-66-2  | Carbofuran.   |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P189 | 5285-14-8  | Carbosulfan.  |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P202 | 64-00-6    | m-Cumenyl methylcarbamate.  |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P191 | 644-64-4   | Dimetilan.  |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P185 | 26419-73-8 | 1,3-Dithiolane-2-carboxaldehyde, 2,4-dimethyl-, O- [(methylamino)- carbonyl]oxime.  |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P194 | 23135-22-0 | Ethanimidothioc acid, 2-(dimethylamino)-N-[[[(methylamino) carbonyl]oxy]-2-oxo-, methyl ester.  |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P198 | 23422-53-9 | Formetanate hydrochloride.  |   |   |   |   |   |   |   |
| P197 | 17702-57-7 | Formparanate.   |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P192 | 119-38-0   | Isolan.   |   |   |   |   |   |   |   |
| P202 | 64-00-6    | 3-Isopropylphenyl N-methylcarbamate.  |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |
| P196 | 15339-36-3 | Manganese, bis(dimethylcarbomodithioato-S,S')-,   |   |   |   |   |   |   |   |
| P196 | 15339-36-3 | Manganese dimethyldithiocarbamate.  |   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * | * |

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

P198 23422-53-9 Methanimidamide, N,N-dimethyl-N'-[3-[[[(methylamino)-carbonyl]oxy]phenyl]-, monohydrochloride.

P197 17702-57-7 Methanimidamide, N,N-dimethyl-N'-[2-methyl-4-[[[(methylamino)carbonyl]oxy]phenyl]-  
P199 2032-65-7 Methiocarb.

\* \* \* \* \*

P190 1129-41-5 Metolcarb.

\* \* \* \* \*

P128 315-18-4 Mexacarbate.

\* \* \* \* \*

P194 23135-22-0 Oxamyl.

\* \* \* \* \*

P128 315-18-4 Phenol, 4-(dimethylamino)-3,5-dimethyl-, methylcarbamate (ester).  
P199 2032-65-7 Phenol, (3,5-dimethyl-4-(methylthio)-, methylcarbamate

\* \* \* \* \*

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

P202 64-00-6 Phenol, 3-(1-methylethyl)-, methyl carbamate.  
\* \* \* \* \*

P201 2631-37-0 Phenol, 3-methyl-5-(1-methylethyl)-, methyl carbamate.  
\* \* \* \* \*

P204 57-47-6 Physostigmine.  
P188 57-64-7 Physostigmine salicylate.  
\* \* \* \* \*

P201 2631-37-0 Promecarb  
P203 1646-88-4 Propanal, 2-methyl-2-(methyl-sulfonyl)-, O-[(methylamino)carbonyl] oxime.  
\* \* \* \* \*

P204 57-47-6 Pyrrolo[2.3-b]indol-5-ol, 1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethyl-, methylcarbamate (ester), (3aS-cis)-.  
\* \* \* \* \*

P185 26419-73-8 Tirpate.  
\* \* \* \* \*

P205 137-30-4 Zinc, bis(dimethylcarbamodithioato-S,S')-.  
\* \* \* \* \*

P205 137-30-4 Ziram.

| END NOTES | FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|-----------|--|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|           |  |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 2         | add the following "U" wastes in alphabetic order (by the third column) | 261.33(f)             | 26.13.02.19G             | X                |                |                |                  |

| Hazardous waste No. | Chemical abstracts No. | Substance           |
|---------------------|------------------------|---------------------|
| U394                | 30558-43-1             | A2213.<br>* * * * * |
| U280                | 101-27-9               | Barban.             |
| U278                | 22781-23-3             | Bendiocarb.         |
| U364                | 22961-82-6             | Bendiocarb phenol.  |
| U271                | 17804-35-2             | Benomyf.            |

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

|       |            |   |
|-------|------------|---|
|       |            | * * * * *   |
| U278  | 22781-23-3 | 1,3-Benzodioxol-4-ol, 2,2-dimethyl-, methyl carbamate.                |
| U364  | 22961-82-6 | 1,3-Benzodioxol-4-ol, 2,2-dimethyl-,                                  |
| U367  | 1563-38-8  | 7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-                             |
|       |            | * * * * *   |
| U372  | 10605-21-7 | Carbamic acid, 1H-benzimidazol-2-yl, methyl ester.                    |
| U271  | 17804-35-2 | Carbamic acid, [1-[(butylamino)carbonyl]-1H-benzimidazol-2-yl]-,      |
|       |            | methyl ester  |
| U280  | 101-27-9   | Carbamic acid, (3-chlorophenyl)-, 4-chloro-2-butynyl ester.           |
| U373  | 122-42-9   | Carbamic acid, phenyl-, 1-methylethyl ester.                          |
| U409  | 23564-05-8 | Carbamic acid, [1,2-phenylenebis (iminocarbonothioyl)]bis-, dimethyl  |
|       |            | ester.  |
|       |            | * * * * *   |
| U389  | 2303-17-5  | Carbamothioic acid, bis(1-methylethyl)-,                              |
|       |            | S-(2,3,3-trichloro-2-propenyl) ester.                                 |
| U387  | 52888-80-9 | Carbamothioic acid, dipropyl-, S-(phenylmethyl) ester.                |
| U279  | 63-25-2    | Carbaryl.   |
| U372  | 10605-21-7 | Carbendazim.  |
| U367  | 1563-38-8  | Carbofuran phenol.  |
|       |            | * * * * *   |
| U395  | 5952-26-1  | Diethylene glycol, dicarbamate.                                       |
|       |            | * * * * *   |
| U404  | 121-44-8   | Ethanamine, N,N-diethyl-  |
|       |            | * * * * *   |
| U410  | 59669-26-0 | Ethanimidothioic acid, N,N'- [thiobis[(methylimino)carbonyloxy]]bis-, |
|       |            | dimethyl ester  |
| U394  | 30558-43-1 | Ethanimidothioic acid, 2-(dimethylamino)-N-hydroxy-2-oxo-, methyl     |
|       |            | ester.  |
|       |            | * * * * *   |
| U395  | 5952-26-1  | Ethanol, 2,2'-oxybis-, dicarbamate.                                   |
|       |            | * * * * *   |
| <hr/> |            |   |
| U279  | 63-25-2    | 1-Naphthalenol, methylcarbamate.                                      |
|       |            | * * * * *   |

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

|      |            |   |   |   |   |   |   |   |
|------|------------|---|---|---|---|---|---|---|
| U411 | 114-26-1   | Phenol, 2-(1-methylethoxy)-, methylcarbamate. |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * |
| U373 | 122-42-9   | Propham.                                      |   |   |   |   |   |   |
| U411 | 114-26-1   | Propoxur.                                     |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * |
| U410 | 59669-26-0 | Thiodicarb.                                   |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * |
| U409 | 23564-05-8 | Thiophanate-methyl.                           |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * |
| U389 | 2303-17-5  | Triallate.                                    |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * |
| U404 | 121-44-8   | Triethylamine.                                |   |   |   |   |   |   |
|      |            |   | * | * | * | * | * | * |

---

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

END  
NOTES

|   | FEDERAL REQUIREMENTS                           | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|---|--|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|   |  |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| 1 | add in alphanumeric order<br>(by first column) | 261, Appendix VII     | 26.13.02.23              | X                |                        |                        |                     |

| EPA hazardous waste No. | Hazardous constituents for which listed   |
|-------------------------|---|
| K156<br>triethylamine.  | Benomyl, carbaryl, carbendazim, carbofuran, carbosulfan, formaldehyde, methylene chloride,        |
| K157                    | Carbon tetrachloride, formaldehyde, methyl chloride, methylene chloride, pyridine, triethylamine. |
| K158                    | Benomyl, carbendazim, carbofuran, carbosulfan, chloroform, methylene chloride.                    |
| K159                    | Benzene, butylate, eptc, molinate, pebulate, vernolate.   |
| K161                    | Antimony, arsenic, metam-sodium, ziram.   |

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

|   |                            |                    |             |   |  |  |  |
|---|----------------------------|--------------------|-------------|---|--|--|--|
| 2 | add in alphabetical order: | 261, Appendix VIII | 26.13.02.24 | X |  |  |  |
|---|----------------------------|--------------------|-------------|---|--|--|--|

| Common Name       | Chemical abstracts name   | Chemical abstracts No. | Hazardous waste No. |
|-------------------|---|------------------------|---------------------|
| A2213             | Ethanimidothioic acid, 2- (dimethylamino) -N-hydroxy-2-oxo-, methyl ester<br>* * * * *  | 30558-43-1             | U394                |
| Aldicarb sulfone  | Propanal, 2-methyl-2- (methylsulfonyl) -, O-[(methylamino) carbonyl] oxime<br>* * * * * | 1646-88-4              | P203                |
| Barban            | Carbamic acid, (3-chlorophenyl) -, 4-chloro-2-butynyl ester<br>* * * * *                | 101-27-9               | U280                |
| Bendiocarb        | 1,3-Benzodioxol-4-ol, 2,2-dimethyl-, methyl carbamate                                   | 22781-23-3             | U278                |
| Bendiocarb phenol | 1,3-Benzodioxol-4-ol, 2,2-dimethyl-,  | 22961-82-6             | U364                |

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

|  |   |            |      |
|--|---|------------|------|
| Benomyl  | Carbamic acid, [1- [(butylamino) carbonyl]-1H-benzimidazol-2-yl] -, methyl ester            | 17804-35-2 | U271 |
|  | * * * * *   |            |      |
| Carbaryl   | 1-Naphthalenol, methylcarbamate   | 63-25-2    | U279 |
| Carbendazim  | Carbamic acid, 1H-benzimidazol-2-yl, methyl ester   | 10605-21-7 | U372 |
| Carbofuran   | 7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate                                  | 1563-66-2  | P127 |
| Carbofuran phenol                                  | 7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-   | 1563-38-8  | U367 |
|  | * * * * *   |            |      |
| Carbosulfan  | Carbamic acid, [(dibutylamino) thio] methyl-, 2,3-dihydro-2,2-dimethyl-7-benzofuranyl ester | 55285-14-8 | P189 |
|  | * * * * *   |            |      |
| m-Cumenyl methylcarbamate                          | Phenol, 3-(methylethyl)-, methyl carbamate  | 64-00-6    | P202 |
|  | * * * * *   |            |      |
| Diethylene glycol, dicarbamate                     | Ethanol, 2,2'-oxybis-, dicarbamate  | 5952-26-1  | U395 |
|  | * * * * *   |            |      |
| Dimetilan carbonyl]-5-methyl-1H-pyrazol-3-yl ester | Carbamic acid, dimethyl-, 1- [(dimethylamino) carbonyl]-5-methyl-1H-pyrazol-3-yl ester      | 644-64-4   | P191 |
|  | * * * * *   |            |      |
| Formetanate hydrochloride                          | Methanimidamide, N,N-dimethyl-N'-[3-[(methylamino) carbonyl]oxy]phenyl]-, monohydrochloride | 23422-53-9 | P198 |
|  | * * * * *   |            |      |
| Formparanate                                       | Methanimidamide, N,N-dimethyl-N'-[2-methyl-4-[(methylamino) carbonyl]oxy]phenyl]-           | 17702-57-7 | P197 |
|  | * * * * *   |            |      |
| Isolan   | Carbamic acid, dimethyl-, 3-methyl-1-(1-methylethyl)-1H-pyrazol-5-yl ester                  | 119-38-0   | P192 |
|  | * * * * *   |            |      |
| Manganese dimethyldithiocarbamate                  | Manganese, bis(dimethylcarbamo-dithioato-S,S')-   | 15339-36-3 | P196 |



RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

|                    |   |            |      |
|--------------------|---|------------|------|
|                    | * * * * *   |            |      |
| Methiocarb         | Phenol, (3,5-dimethyl-4-(methylthio)-, methylcarbamate  | 2032-65-7  | P199 |
|                    | * * * * *   |            |      |
| Metolcarb          | Carbamic acid, methyl-, 3-methylphenyl ester  | 1129-41-5  | P190 |
|                    | * * * * *   |            |      |
| Mexacarbate        | Phenol, 4-(dimethylamino)-3,5-dimethyl-, methylcarbamate (ester)  | 315-18-4   | P128 |
|                    | * * * * *   |            |      |
| Oxamyl             | Ethanimidothioic acid, 2-(dimethylamino)-N-[[[(methylamino) carbonyl]oxy]-2-oxo-, methyl ester  | 23135-22-0 | P194 |
|                    | * * * * *   |            |      |
| Physostigmine      | Pyrrolo[2,3-b]indol-5-yl, 1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethyl-, methylcarbamate (ester), (3aS-cis)-  | 57-47-6    | P204 |
| Physostigmine      | Benzoic acid, 2-hydroxy-, compd. with (3aS-cis) salicylate --1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo [2,3-b]indol-5-yl methylcarbamate ester (1:1). | 57-64-7    | P188 |
|                    | * * * * *   |            |      |
| Promecarb          | Phenol, 3-methyl-5-(1-methylethyl)-, methyl carbamate   | 2631-37-0  | P201 |
|                    | * * * * *   |            |      |
| Propham            | Carbamic acid, phenyl-, 1-methylethyl ester   | 122-42-9   | U373 |
| Propoxur           | Phenol, 2-(1-methylethoxy)-, methylcarbamate  | 114-26-1   | U411 |
|                    | * * * * *   |            |      |
| Prosulfocarb       | Carbamothioic acid, dipropyl-, S-(phenylmethyl) ester   | 52888-80-9 | U387 |
|                    | * * * * *   |            |      |
| Thiodicarb         | Ethanimidothioic acid, N,N'-[thiobis [(methylimino) carbonyloxy]] bis-, dimethyl ester.   | 59669-26-0 | U410 |
| Thiophanate-methyl | Carbamic acid, [1,2-phenylenebis (iminocarbonothioyl)] bis-, dimethyl ester   | 23564-05-8 | U409 |
|                    | * * * * *   |            |      |
| Tirpate            | 1,3-Dithiolane-2-carboxaldehyde, 2,4-dimethyl-, O-[(methylamino) carbonyl] oxime.   | 26419-73-8 | P185 |
|                    |   |            |      |
| Triallate          | Carbamothioic acid, bis(1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester   | 2303-17-5  | U389 |
|                    | * * * * *   |            |      |

RCRA REVISION CHECKLIST 140 – Carbamate Production Identification and Listing of Haz. Waste

|               |   |          |      |
|---------------|---|----------|------|
| Triethylamine | Ethanamine, N,N-diethyl-                          | 121-44-8 | U404 |
|               | * * * * *   |          |      |
| Ziram         | Zinc, bis(dimethylcarbamodithioato-S,S')-, (T-4)- | 137-30-4 | P205 |
|               | * * * * *   |          |      |

---

END NOTES

1. K156, K157, and K158 were vacated by the U.S. Court of Appeals (*Dithiocarbamate Task Force v. EPA*, CA DC 95-1249, 11/1/96) to the extent that they encompass 3-iodo-2-propynyl n-butylcarbamate (IPBC), which was listed as product waste U375.
  2. Amended by 60 FR 19165 (April 17, 1995) and 60 FR 25619 (May 12, 1995).
  3. The May 12, 1995 Federal Register article corrected the CAS No. for "Mexacarbate." However, on page 25620 of this article, "Mexacarbamate" should be "Mexacarbate".
- † Optional. States are not required to adopt this provision.

RCRA REVISION CHECKLIST 148

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

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

Name Of State: MARYLAND

State Statutory Authority: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland (1996

Replacement Volume and 1999 Cumulative Supplement)

Title of Regulations: MARCH 2003 DRAFT AMENDMENTS TO COMAR 26.13 Effective Date: \_\_\_\_\_

Date Checklist Completed: \_\_\_\_\_

| END<br>NOTE | FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|-------------|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|             |                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

PART 124 - PROCEDURES FOR DECISION MAKING

SUBPART B - SPECIFIC PROCEDURES APPLICABLE TO RCRA PERMITS

PRE-APPLICATION PUBLIC MEETING AND NOTICE

|  |           |                |   |  |  |  |
|--|-----------|----------------|---|--|--|--|
| requirements of this section apply to part B applications seeking initial permits for hazardous waste management units; these requirements also apply to part B permit applications seeking permit renewal which proposes a significant change in the facility operations; definition of "significant change"; definition of "hazardous waste management units over which EPA has permit issuance authority"; the requirements of 124.31 do not apply to 270.42 permit modifications or applications submitted solely for post-closure activities or post-closure activities and<br>1. corrective action at a facility | 124.31(a) | 26.13.07.19-1A | X |  |  |  |
|--|-----------|----------------|---|--|--|--|

## RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END<br>NOTE | FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION   | STATE ANALOG IS: |                        |                        |                     |
|-------------|--|-----------------------|----------------------------|------------------|------------------------|------------------------|---------------------|
|             |  |                       |                            | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
|             | prior to submission of part B permit application, the applicant must hold at least one public meeting; the applicant shall post a sign-in sheet for attendees  | 124.31(b)             | 26.13.07.19-1B(1)          | X                |                        |                        |                     |
|             | the applicant shall submit a summary of the meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting as part of the part B application, in accordance with 270.14(b) | 124.31(c)             | 26.13.07.19-1B(2)          | X                |                        |                        |                     |
|             | the applicant must provide public notice of the pre-application meeting at least 30 days prior to the meeting; must maintain and provide documentation of public notice to the permitting agency upon request                              | 124.31(d)             | 26.13.07.19-1C intro – (2) | X                |                        |                        |                     |
|             | the applicant shall provide public notice in all of the following forms:   | 124.31(d)(1)          | 26.13.07.19-1C(3) intro    | X                |                        |                        |                     |
|             | newspaper advertisement, as specified  | 124.31(d)(1)(i)       | 26.13.07.19-1C(3)(a)       | X                |                        |                        |                     |
|             | visible and accessible sign, as specified  | 124.31(d)(1)(ii)      | 26.13.07.19-1C(3)(b)       | X                |                        |                        |                     |
|             | broadcast media announcement, as specified   | 124.31(d)(1)(iii)     | 26.13.07.19-1C(3)(c)       | X                |                        |                        |                     |
|             | notice to the permitting agency and units of state and local government, as specified  | 124.31(d)(1)(iv)      | 26.13.07.19-1C(4)          | X                |                        |                        |                     |
|             | the notices required under 124.31(d)(1) must include:  | 124.31(d)(2)          | 26.13.07.19-1C(5) intro    | X                |                        |                        |                     |
|             | date, time, and location of the meeting  | 124.31(d)(2)(i)       | 26.13.07.19-1C(5)(a)       | X                |                        |                        |                     |

## RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END<br>NOTE | FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|-------------|---|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|             |   |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
|             | brief description of the purpose of the meeting   | 124.31(d)(2)(ii)      | 26.13.07.19-1C(5)(b)     | X                |                        |                        |                     |
|             | brief description of the facility and proposed operations, including address or map                                   | 124.31(d)(2)(iii)     | 26.13.07.19-1C(5)(c)     | X                |                        |                        |                     |
|             | statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access | 124.31(d)(2)(iv)      | 26.13.07.19-1C(5)(d)     | X                |                        |                        |                     |
|             | name, address, and telephone number of a contact person for the applicant   | 124.31(d)(2)(v)       | 26.13.07.19-1C(5)(e)     | X                |                        |                        |                     |

## PUBLIC NOTICE REQUIREMENTS AT THE APPLICATION STAGE

|    |  |           |                         |  |  |   |  |
|----|--|-----------|-------------------------|--|--|---|--|
| 1. | requirements of this section apply to part B applications seeking initial permits for hazardous waste management units; these requirements also apply to part B permit applications seeking permit renewal for such units under 270.51; definition of "hazardous waste management units"; the requirements of 124.32 do not apply to 270.42 permit modifications or applications submitted solely for post-closure activities or post-closure activities and corrective action at a facility | 124.32(a) | 26.13.07.20-2A(5) & (6) |  |  | X |  |
|----|--|-----------|-------------------------|--|--|---|--|

**Attorney General Comment:** Maryland's requirements are more stringent because public notice must also be given of receipt of an application for a permit modification, and receipt of an application for post-closure activities.

|  |                                       |           |                                       |  |  |   |  |
|--|---------------------------------------|-----------|---------------------------------------|--|--|---|--|
|  | notification at application submittal | 124.32(b) | 26.13.07.20-2A(5) & 26.13.07.20-2F(3) |  |  | X |  |
|--|---------------------------------------|-----------|---------------------------------------|--|--|---|--|

## RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END<br>NOTE | FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION          | ANALOGOUS STATE CITATION   | STATE ANALOG IS: |                        |                        |                     |
|-------------|---|--------------------------------|--|------------------|------------------------|------------------------|---------------------|
|             |   |                                |  | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
|             | the Director shall provide public notice as set forth in 124.10(c)(1)(ix) and notice to appropriate units of State and local government as set forth in 124.10(c)(1)(x), that a part B application has been submitted | 124.32(b)(1)                   | 26.13.07.20-2A(5),<br>26.13.07.20-2A(6), &<br>26.13.07.20-2E(1)(d)-<br>(f) | X                |                        |                        |                     |
|             | notice shall be published within a reasonable period of time after the application is received by the Director; the notice must include:  | 124.32(b)(2)                   | 26.13.07.20-2D(4)  | X                |                        |                        |                     |
|             | name and telephone number of the applicant's contact person   | 124.32(b)(2)(i)                | 26.13.07.20-2F(3)(a)   | X                |                        |                        |                     |
|             | name, telephone number, and mailing address of the permitting agency's contact office   | 124.32(b)(2)(ii)               | 26.13.07.20-2F(1)(a) &<br>(d)  | X                |                        |                        |                     |
|             | address to which people can write in order to be put on the facility mailing list   | 124.32(b)(2)(iii)              | 26.13.07.20-2F(3)(b)   | X                |                        |                        |                     |
|             | location where copies of the permit application and any supporting documents can be viewed and copied   | 124.32(b)(2)(iv)               | 26.13.07.20-2F(1)(d) &<br>(h), and<br>26.13.07.20-2F(3)                    | X                |                        |                        |                     |
|             | brief description of the facility and proposed operations, including address or map, on the front page of the notice  | 124.32(b)(2)(v)                | 26.13.07.20-2F(3)(c)   | X                |                        |                        |                     |
|             | date the application was submitted  | 124.32(b)(2)(vi)               | 26.13.07.20-2F(3)(d)   | X                |                        |                        |                     |
|             | information on how to request for an informational meeting or information on the time, date and location of informational meeting if the Department has already scheduled one   | No Federal analog in<br>124.32 | 26.13.07.20-2F(3)(e)   |                  |                        | X                      |                     |

RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END<br>NOTE                   | FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION       | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|-------------------------------|---|-----------------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|                               |   |                             |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
|                               | <b>Attorney General Comment:</b> Maryland requires that the public notice include information on how to request that an informational meeting be held. This is an additional requirement making the State more stringent.   |                             |                          |                  |                        |                        |                     |
|                               | concurrent with the notice required under 124.32(b), the Director must place the permit application and any support documents in a location accessible to the public in the vicinity of the facility or at the permitting agency's office   | 124.32(c)                   | 26.13.07.19-2A           | X                |                        |                        |                     |
|                               | Informational meetings on permit applications   | No Federal analog in 124.32 | 26.13.07.20-3            |                  |                        | X                      |                     |
|                               | <b>Attorney General Comment:</b> Maryland adds the provisions at COMAR 26.13.07.20-3 requiring the Director to hold informational meeting under specific conditions. This appears to be more stringent than the Federal requirements.   |                             |                          |                  |                        |                        |                     |
| <b>INFORMATION REPOSITORY</b> |   |                             |                          |                  |                        |                        |                     |
| 1.                            | requirements of this section apply to all applications seeking permits for hazardous waste management units; definition of "hazardous waste management units"   | 124.33(a)                   | 26.13.07.19-2B(1)        | X                |                        |                        |                     |
|                               | the Director may assess the need, on a case-by-case basis, for an information repository; he shall consider a variety of factors, including level of public interest, type of facility, presence of existing repository, and proximity to nearest copy of administrative record; if a need is determined, the Director shall notify the facility to establish and maintain a repository | 124.33(b)                   | 26.13.07.19-2B(2)-(4)    | X                |                        |                        |                     |
|                               | the repository shall contain all documents, reports, data, and information deemed necessary by the Director   | 124.33(c)                   | 26.13.07.19-2B(5) & (6)  | X                |                        |                        |                     |

RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END<br>NOTE | FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION  | STATE ANALOG IS: |                        |                        |                     |
|-------------|---|-----------------------|---------------------------|------------------|------------------------|------------------------|---------------------|
|             |   |                       |                           | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
|             | the repository shall be located and maintained at a site chosen by the facility; if the site is unsuitable, the Director shall specify a more appropriate site  | 124.33(d)             | 26.13.07.19-2B(7) & (8)   | X                |                        |                        |                     |
|             | the Director shall specify requirements for informing the public about the repository; at a minimum, the Director shall require the facility to provide a written notice about the repository to all persons on the facility mailing list | 124.33(e)             | 26.13.07.19-2B(9)         | X                |                        |                        |                     |
|             | the facility owner or operator shall be responsible for maintaining and updating the repository; the Director may close the repository at his discretion based on factors in 124.33(b)  | 124.33(f)             | 26.13.07.19-2B(10) & (11) | X                |                        |                        |                     |

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

SUBPART A - GENERAL INFORMATION

DEFINITIONS

|  |                                |                    |   |  |  |  |
|--|--------------------------------|--------------------|---|--|--|--|
| revise "Facility mailing list" by changing "124.10(c)(viii)" to "124.10(c)(1)(ix)" | 270.2, "Facility mailing list" | 26.13.01.03B(23-1) | X |  |  |  |
|--|--------------------------------|--------------------|---|--|--|--|

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

|   |               |                  |   |  |  |  |
|---|---------------|------------------|---|--|--|--|
| add new paragraph; summary of pre-application meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting, as required under 124.31(c) | 270.14(b)(22) | 26.13.07.02D(39) | X |  |  |  |
|---|---------------|------------------|---|--|--|--|



RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END NOTE | FEDERAL REQUIREMENTS | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|----------|----------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|          |                      |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |

SUBPART C - PERMIT CONDITIONS

CONDITIONS APPLICABLE TO ALL PERMITS

|   |           |              |   |  |  |  |
|---|-----------|--------------|---|--|--|--|
| add new paragraph; the Director may require the permittee to establish and maintain an information repository at any time, as set forth in 124.33(b); information repository shall be governed by provisions in 124.33(c)-(f) | 270.30(m) | 26.13.07.04N | X |  |  |  |
|---|-----------|--------------|---|--|--|--|

SUBPART F - SPECIAL FORMS OF PERMITS

EMERGENCY PERMITS

|                                      |              |                 |   |  |  |  |
|--------------------------------------|--------------|-----------------|---|--|--|--|
| replace "124.11(b)" with "124.10(b)" | 270.61(b)(5) | 26.13.07.14A(5) | X |  |  |  |
|--------------------------------------|--------------|-----------------|---|--|--|--|

HAZARDOUS WASTE INCINERATOR PERMITS

|   |                 |                         |   |  |  |   |
|---|-----------------|-------------------------|---|--|--|---|
| redesignate former 270.62(b)(6) as 270.62(b)(7); add new 270.62(b)(6) addressing the notice to be sent by the Director to all persons on the facility mailing list and to the appropriate units of State and local government announcing the scheduled commencement and completion dates for the trial burn; applicant may not commence the trial burn until after notice has been issued | 270.62(b)(6)    | 26.13.07.17B(12)(a)&(b) | X |  |  |   |
| notice must be mailed within a reasonable time period before the scheduled trial burn; additional notice not required if trial burn is delayed due to circumstances beyond the facility's or permitting agency's control  | 270.62(b)(6)(i) | 26.13.07.17B(12)(c)     |   |  |  | X |

RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

END  
NOTE

| FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|--|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|  |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| <b>Attorney General Comment:</b> At COMAR 26.13.07.17B(13)(c), Maryland gives a specific number of days (30) rather than requiring "a reasonable period of time". This makes the State more stringent. |                       |                          |                  |                        |                        |                     |
| notice must contain:   | 270.62(b)(6)(ii)      | 26.13.07.17B(12)(d)      | X                |                        |                        |                     |
| name and telephone of the applicant's contact person   | 270.62(b)(6)(ii)(A)   | 26.13.07.17B(12)(d)(i)   | X                |                        |                        |                     |
| name and telephone number of the permitting agency's contact office  | 270.62(b)(6)(ii)(B)   | 26.13.07.17B(12)(ii)     | X                |                        |                        |                     |
| location where the approved trial burn plan and any supporting documents can be reviewed and copied  | 270.62(b)(6)(ii)(C)   | 26.13.07.17B(12)(iii)    | X                |                        |                        |                     |
| expected time period for commencement and completion of the trial burn   | 270.62(b)(6)(ii)(D)   | 26.13.07.17B(12)(iv)     | X                |                        |                        |                     |
| former 270.62(b)(6) becomes 270.62(b)(7)   | 270.62(b)(7)          | 26.13.07.17B(7)          | X                |                        |                        |                     |
| redesignate former 270.62(b)(7)-(10) as 270.62(b)(8)-(11)  | 270.62(b)(8)-(11)     | 26.13.07.17B(8) – (11)   | X                |                        |                        |                     |

RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END<br>NOTE | FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|-------------|---|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|             |   |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
|             | in the first sentence, replace "paragraph (b)(2) through (b)(9)" with "paragraphs (b)(2) through (b)(5) and (b)(7) through (b)(10)"; after the first sentence, insert two new sentences; the first new sentence requires the Director to announce his or her intention to approve the trial burn plan as specified; the second new sentence addresses what the notice must include; in the sentence beginning with "Applicants submitting information under...", replace §§264.343" with "40 CFR 264.343"; in the sentence beginning with "Applicants who submit trial burn plans...", replace "paragraph (b)(6)" with "paragraph (b)(7) of this section" | 270.62(d)             | 26.13.07.17D             | X                |                        |                        |                     |

PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

**NOTE MARYLAND HAS NOT ADOPTED 40 CFR 270.66 BECAUSE THE STATE HAS NOT YET ADOPTED THE BIF REQUIREMENTS INTRODUCED BY THE FINAL RULE ADDRESSED BY REVISION CHECKLIST 85.**

|  |              |                 |  |  |  |  |
|--|--------------|-----------------|--|--|--|--|
| redesignate former 270.66(d)(3) as 270.66(d)(4); add new 270.66(d)(3) requiring the Director to send notice to all persons on the facility mailing list and to the appropriate units of State and local government announcing the scheduled commencement and completion dates for the trial burn; applicant may not commence the trial burn until after notice has been issued | 270.66(d)(3) | No State analog |  |  |  |  |
|--|--------------|-----------------|--|--|--|--|

## RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END<br>NOTE | FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|-------------|--|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|             |  |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
|             | notice must be mailed within a reasonable time period before the trial burn; additional notice not required if trial burn is delayed due to circumstances beyond the facility's or permitting agency's control | 270.66(d)(3)(i)       | No State analog          |                  |                        |                        |                     |
|             | notice must contain:   | 270.66(d)(3)(ii)      | No State analog          |                  |                        |                        |                     |
|             | name and telephone number of the applicant's contact person  | 270.66(d)(3)(ii)(A)   | No State analog          |                  |                        |                        |                     |
|             | name and telephone number of the permitting agency's contact office  | 270.66(d)(3)(ii)(B)   | No State analog          |                  |                        |                        |                     |
|             | location where the approved trial burn plan and any supporting documents can be reviewed and copied  | 270.66(d)(3)(ii)(C)   | No State analog          |                  |                        |                        |                     |
|             | expected time period for commencement and completion of the trial burn   | 270.66(d)(3)(ii)(D)   | No State analog          |                  |                        |                        |                     |
|             | former 270.66(d)(3) becomes (d)(4)   | 270.66(d)(4)          | No State analog          |                  |                        |                        |                     |
|             | redesignate old 270.66(d)(4) and (d)(5) as 270.66(d)(5) and (d)(6)   | 270.66(d)(5) & (d)(6) | No State analog          |                  |                        |                        |                     |

RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

| END NOTE | FEDERAL REQUIREMENTS   | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|----------|--|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|          |  |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 2.       | revise paragraph; insert "of this chapter" after the second reference to "§ 266.103" in the first sentence; after the first sentence, insert new second and third sentences; the first new sentence requires the Director to announce his or her intention to approve a trial burn plan as specified; second new sentence addresses what the notice must include | 270.66(g)             | No State analog          |                  |                |                |                  |

END NOTES

1. See the special guidance in the summary for this checklist regarding state adoption of these paragraphs.
2. There is a typographical error at 270.66(g); at 60 FR 63434, "§§266.104 through 266.107" was changed to "§266.104 through 266.107".

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RCRA REVISION CHECKLIST 150

Amendments to the Definition of Solid Waste; Amendment II  
 61 FR 13103-13106  
 March 26, 1996  
 (RCRA Cluster VI, Non-HSWA provisions)

END  
 NOTES

| FEDERAL REQUIREMENTS  | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                        |                        |                     |
|---|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
|   |                       |                          | EQUIV-<br>ALENT  | LESS<br>STRIN-<br>GENT | MORE<br>STRIN-<br>GENT | BROADER<br>IN SCOPE |
| PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE  |                       |                          |                  |                        |                        |                     |
| SUBPART A - GENERAL   |                       |                          |                  |                        |                        |                     |
| EXCLUSIONS  |                       |                          |                  |                        |                        |                     |
| † replace "along with normal process streams prior to crude distillation or catalytic cracking" with "at or before a point (other than direct insertion into a coker) where contaminants are removed" | 261.4(a)(12)          | 26.13.02.04A(15) & (16)* | X                |                        |                        |                     |

\*The changes made by this checklist were superseded by CL 169.

† Optional. States are not required to adopt this provision.

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