

Revision Checklist 121 Summary

Rule Title: Corrective Action Management Units and Temporary Units; Corrective Action Provisions Under Subtitle C
Checklist Title: Corrective Action Management Units and Temporary Units
Reference: 58 FR 8658-8685
Promulgation Date: February 16, 1993
Effective Date: April 19, 1993
Cluster: RCRA Cluster III
Provision Type: HSWA
Linkage: None
Optional: Yes

Summary: This rule finalizes provisions for corrective action management units (CAMUs) and temporary units (TUs) that will be used for remedial purposes under RCRA corrective action authorities. The specific provisions of the rule, codified under a new subpart S of 40 CFR part 264, were proposed as part of a more comprehensive corrective action rulemaking on July 27, 1990. EPA received numerous public comments on the subpart S proposal, many of which raised issues which must be resolved prior to a final rulemaking. However, EPA believes that it is necessary to expedite the promulgation of the CAMU and TU regulations in order to facilitate remediation waste management activities at RCRA facilities.

State Authorization: This rule is placed in RCRA Cluster III. The rule is promulgated under HSWA authorities; thus, all changes go into effect immediately in (1) States unauthorized for the RCRA base program, and (2) States authorized for the RCRA base program, but are not yet authorized for the HSWA corrective action program. Because the regulations promulgated in this rule reduce regulatory requirements for certain types of waste management conducted during corrective action, States are not required to adopt the changes addressed by this rule. States may, however, impose requirements that are broader in scope or more stringent than those imposed under Federal regulations. As such, the checklist developed for this rule has been designated as optional. However, EPA strongly encourages States to adopt the checklist as quickly as possible in order to expedite hazardous waste remediation at RCRA corrective action facilities. For States that choose to adopt the checklist, the State modification deadline is July 1, 1994 (or July 1, 1995 if a State statutory change is necessary). Both interim and final authorization are available. An interim final rule was published in mid December, 1992, extending interim authorization until January 1, 2003. The State Revision Application must include applicable regulations, an AG statement addendum, Revision Checklist 121, other associated checklists and other application materials, i.e., a program description and an MOA, as determined by the Regional office.

Attorney General's Statement Entry: The following entry should be placed at Subsection XIII in the Model Revision Attorney General's Statement.

G. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations contain remediation waste management provisions for corrective action management units (CAMUs) and temporary units (TUs) at RCRA facilities, as indicated in Revision Checklist 121.

Revision Checklist 121 Summary (cont'd)

Federal Authority: RCRA §§1006, 2002(a), 3004(u), 3004(v), 3005(c), 3007, and 3008(h);
40 CFR 260.10, 264.3, 264.101(b), 264.552, 264.553, 265.1(b), 268.2(c), 270.2 and
Appendix I to 270.42, as amended February 16, 1993 (58 FR 8658).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General