

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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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)
INTERPRETIVE COMMENT: 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
INTERPRETIVE COMMENT: 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)
INTERPRETIVE COMMENT: 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 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 prepurified 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 chlorinated 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 Method	Second Edition 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 Section No.	Method No.	Second Edition Section No.	Method No.
Analysis of Chlorinated 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 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
INSPECTIONS						
contingency plan	264.194(c)(2)	Superceded by CL 28 for which the State is authorized				
SPECIAL REQUIREMENTS						
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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 265 - INTERIM STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART A - GENERAL						
PURPOSE, SCOPE, AND APPLICABILITY						
dioxin management	265.1(d)	26.13.06.01A(6)				MS
INTERPRETIVE COMMENT: Maryland has not adopted analogs to the Federal provisions at 265.1(d)(1)(iv)&(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.						
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
INTERPRETIVE COMMENT: 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.						
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
INTERPRETIVE COMMENT: 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.						
PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
FACILITY SPECIFIC PART B INFORMATION						
tanks	270.16(g)	26.13.07.02-3B(9)	EQ			
surface impoundments	270.17(j)	26.13.07.02-4B(17)	EQ			
(redesignated as (i) by the 7/15/85 final rule (50 FR 28752) (Checklist 17))						
waste piles	270.18(j)	26.13.07.02-5B(10)	EQ			
(redesignated as (i) by the 7/15/85 final rule (50 FR 28752) (Checklist 17))						
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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

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

SUBPART B - GENERAL FACILITY STANDARDS

LOCATION STANDARDS

waste in salt domes	265.18	26.13.06.02G	X			
---------------------	--------	--------------	---	--	--	--

This page intentionally blank.

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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 17I (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 17I).

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 17I (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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Comment: The 40 CFR 264.253 removed by Revision Checklist 17I (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 (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 17I (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 (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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
264.310(b)(2); redesignate 264.310(b)(3), (4) and (5) as 264.310(b)(2), (3) and (4)		State=s regulations at 26.13.05.14l(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 State=s regulations 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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	

INTERPRETIVE 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 AExcept 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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) (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".)

This page intentionally blank.

MARYLAND
RCRA REVISION CHECKLIST 17 Q

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

Research and Development Permits

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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					

This page intentionally blank.

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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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					

This page intentionally blank.

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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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

This page intentionally blank.

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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

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

SUBPART B - PERMIT APPLICATION

GENERAL APPLICATION REQUIREMENTS

information for

<u>permit conditions</u>	270.10(k)	26.13.07.02D(36)	EQ
--------------------------	-----------	------------------	----

This page intentionally blank.

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 3rd 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 STATE CITATION	EQUIV- ALENT	STATE ANALOG IS:	
				MORE STRINGENT	BROADER 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/
Table

X

Industry and EPA hazardous
waste No.

Hazardous waste

Hazard

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 manage-
ment 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

in alphanumeric order

as shown below:

Appendix VII

26.13.02.23/

Table

X

EPA hazardous
waste No.

Hazardous constituents for
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 STATE CITATION	EQUIV- ALENT	STATE ANALOG IS:	
				MORE STRINGENT	BROADER IN SCOPE

¹ 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A - GENERAL

DEFINITIONS

add "containment building"	260.10	26.13.01.03.B(9-1)	X			
----------------------------	--------	--------------------	---	--	--	--

Interpretive Comment. 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.

revise "miscellaneous unit"	260.10	26.13.01.03.B(53)	X			
revise "pile"	260.10	26.13.01.03.B(63)	X			

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

DEFINITION OF HAZARDOUS WASTE

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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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 <u>FR</u> 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Interpretive Comment: 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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			
1. 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
CLOSURE PLAN; AMENDMENT OF PLAN						
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			
SUBPART H - FINANCIAL REQUIREMENTS						
APPLICABILITY						
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 ";	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			
COST ESTIMATE FOR CLOSURE						
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			
SUBPART DD - CONTAINMENT BUILDINGS						
APPLICABILITY						
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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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			
DESIGN AND OPERATING STANDARDS						
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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

CLOSURE AND POST-CLOSURE CARE

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				

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

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

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			

CLOSURE PERFORMANCE STANDARD

change "and 265.404" to ", 265.404, and 264.1102"	265.111(c)	26.13.06.07B(3)	X			
---	------------	-----------------	---	--	--	--

CLOSURE PLAN; AMENDMENT OF PLAN

Checklist 109 – Containment Building Provisions Only

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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/ 26.13.05.18.A&.B intro & B(1)	X			
is a completely enclosed, self supporting structure designed and constructed as specified	265.1100(a)	26.13.06.29/ 26.13.05.18.B(2) 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/ 26.13.05.18.B(4)	X			
if used to manage liquids:	265.1100(c)	26.13.06.29/ 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/ 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/ 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/ 26.13.05.18.B(5)(c)	X			
6. controls to prevent fugitive dust emissions	265.1100(d)	26.13.06.29/ 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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/ 26.13.05.18.B(7)	X			
DESIGN AND OPERATING STANDARDS						
all containment buildings must comply with following design standards:	265.1101(a)	26.13.06.29/ 26.13.05.18-1.A intro	X			
completely enclosed as specified	265.1101(a)(1)	26.13.06.29/ 26.13.05.18-1.A(1) 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/ 26.13.05.18-1.A(2) 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/ 26.13.05.18- 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/ 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	265.1101(a)(3)	26.13.06.29/ 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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/ 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/ 26.13.05.18-1.B intro & 18-1.C	X			
primary barrier to prevent migration of hazardous constituents into the barrier	265.1101(b)(1)	26.13.06.29/ 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/ 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/ 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/ 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/ 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/ 26.13.05.18-1.B(6) intro	X			
construct with 1% or greater bottom slope	265.1101(b)(3)(i)(A)	26.13.06.29/ 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
granular, synthetic, or geonet drainage materials as specified	265.1101(b)(3)(i)(B)	26.13.06.29/ 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/ 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/ 26.13.05.18-1.B(8) & 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/ 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/ 26.13.05.18-2.A & B intro	X			
maintain primary barrier as specified	265.1101(c)(1)(i)	26.13.06.29/ 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
maintain level of stored/treated hazardous waste as specified	265.1101(c)(1)(ii)	26.13.06.29/ 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/ 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/ 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/ 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/ 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/ 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/ 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/ 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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/ 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	265.1101(c)(3)(i)(D)	26.13.06.29/ 26.13.05.18-2.D(2) (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/ 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/ 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/ 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/ 26.13.05.18-2.F 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/ 26.13.05.18-2.F(1) & 26.13.05.18-1.D	X			

Checklist 109 – Containment Building Provisions Only

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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/ 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/ 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/ 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/ 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/ 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
DEFINITION OF HAZARDOUS WASTE						
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			

This page intentionally blank.

Revision of Conditional Exemption for Small Scale Treatability Studies

February 18, 1994

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.

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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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) 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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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			

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

²The 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 parenthetical phrase "this exemption does not apply to fuels produced from oil recovered from oil-bearing hazardous waste, where such recovered oil is already excluded under § 261.4(a)(12)"	261.6(a)(3)(iv)	26.13.02.06A-1(1)(c) and Agency Note	X			
remove old 261.6(a)(3)(v) and redesignate old 261.6(a)(3)(vi) as new 261.6(a)(3)(v)	261.6(a)(3)(v)	26.13.02.06A-1(2)(c) – (e)	X			
redesignate old 261.6(a)(3)(vii) as new 261.6(a)(3)(vi); replace the phrase "at the same facility at which such wastes were generated" with "by the same person who 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) through (vi)"	266.100(b)(3)	N/A –BIF rule has not 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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: "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.				
--	-----------------------	---	--	--	--	--

This page intentionally blank.

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

EPA hazardous
waste No.

Hazardous constituents for which listed

K156 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	30558-43-1	U394
	* * * * *		
Aldicarb sulfone	Propanal, 2-methyl-2- (methylsulfonyl) -, O-[(methylamino) carbonyl] oxime	1646-88-4	P203
	* * * * *		
Barban	Carbamic acid, (3-chlorophenyl) -, 4-chloro-2-butynyl ester	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-5-01, 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 "Mexacarbamate." However, on page 25620 of this article, "Mexacarbamate" should be "Mexacarbamate".
- † 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 NOTE	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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							
1. corrective action at a facility	124.31(a)	26.13.07.19-1A		X			

RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- A- L- E- N- T	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 NOTE	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 NOTE	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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), 26.13.07.20-2A(6), & 26.13.07.20-2E(1)(d)-(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) & (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) & (h), and 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 124.32	26.13.07.20-2F(3)(e)			X	

RCRA REVISION CHECKLIST 148: RCRA Expanded Public Participation

END
NOTE

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Attorney General Comment: 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	
Attorney General Comment: 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.						
INFORMATION REPOSITORY						
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 NOTE	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Attorney General Comment: 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 NOTE	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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 NOTE	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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".

This page intentionally left blank.

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- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 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.

This page intentionally blank.