

## CONSOLIDATED CHECKLIST C3

Standards Applicable to Generators of Hazardous Waste  
40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262))

### Notes:

#### 1. The Electronic Manifest

There are many requirements for the electronic manifest that can be administered and enforced only by EPA, and not by authorized states. These provisions are noted within this Consolidated Checklist.

- a. Most of the electronic manifest provisions that are not solely administered and enforced by EPA were promulgated under the authority of Section 2(g)(3) of the e-Manifest Act. This authority is similar to that in Section 3006(g) of RCRA, which was promulgated under HSWA, which provides that EPA shall carry out regulations promulgated under the Act in each state unless the state program is fully authorized to carry out such regulations in lieu of EPA.
- b. The hazardous waste manifest is an area subject to special program consistency considerations. In addition, because of the section 2(g)(3) mandate of the e-Manifest Act that all federal requirements promulgated under e-Manifest Act authority be given consistent effect in all states on the requirements' effective date, existing state law requirements that are inconsistent with the federal revisions promulgated under the e-Manifest Act are superseded on these regulations' effective date of June 30, 2018.

#### 2. Imports and Exports of Hazardous Waste

Import/Export requirements are administered by EPA and not the states because the exercise of foreign relations and international commerce powers is reserved to the federal government under the Constitution; however, EPA strongly encourages states to incorporate these requirements into their regulations for the convenience of the regulated community and for completeness. This promotes national coordination, uniformity and expeditious transmission of information between the United States and foreign countries. For a discussion of these issues, see 51 FR 28678, August 8, 1986 (Revision Checklist 31); 81 FR 85696, November 28, 2016 (Revision Checklist 236); and 82 FR 60894, December 26, 2017 (Revision Checklist 238).

- a. The final rule addressed by Revision Checklist 236 made substantial changes to 40 CFR part 262, Subpart H; incorporating the provisions previously at 40 CFR part 262, subparts E and F into the more stringent requirements in subpart H and reserving subparts E and F. However, there are several places in the federal regulations where there are still references to elements of the reserved subparts. For example, at 262.20(a)(2) there are references to 262.54 and 262.60. The provisions formerly located at subparts E and F of part 262 have been incorporated into the 262, subpart H in the 2017 CFR. Until a correction is issued, states adopting the federal regulations should replace references to subparts E and F of part 262 provisions with the relevant provisions from 262, subpart H.
- b. Part 262, subpart H includes several notes for specific paragraphs; however, this Consolidated Checklist does not include these notes. Notes and comments in the federal regulations are explanatory statements and are not required for authorization. States may adopt equivalent versions in their regulations.

#### 3. Hazardous Waste Generator Improvements Rule (Revision Checklist 237 (November 28, 2016; 81 FR 85732))

The final rule addressed by Revision Checklist 237 (1) removed and reserved 40 CFR 261.5 and 262.34, and (2) substituted the term “conditionally exempt small quantity generator” with the new term “very small quantity generator”; however, it appears that conforming changes for the removals were not all made in other parts of the federal regulations and several federal provisions still reference provisions from 261.5 and 262.34. The provisions formerly located at 261.5 have been incorporated into a new section 262.13, and those from 262.34

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have been incorporated into the new 262.15, 262.16, and 262.17. Until a correction is issued, states should replace references to 261.5 and 262.34 provisions with the relevant provisions from 262.13, 262.15, 262.16, or 262.17. The Consolidated Checklist documents the specific provisions where there are incorrect internal references and the substitutions that states should make to correct the errors.

**4. The following symbols are used on the Consolidated Checklist:**

- a. † - Optional provisions
- b. †† - Conditionally-optional provisions
- c. ††† - Provisions that have incorrect internal references. Endnotes are added to indicate the nature of the error and the corrections to be made.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>SUBPART A - GENERAL</b>							
<b>TERMS USED IN THIS PART</b>							
<b>As used in this part:</b>	<b>237</b>	<b>262.1</b>					
<b>“condition for exemption”</b>	<b>237</b>	<b>262.1</b>					
<b>“independent requirement”</b>	<b>237</b>	<b>262.1</b>					
<b>PURPOSE, SCOPE AND APPLICABILITY</b>							
establish standards for generators of hazardous waste as defined by 260.10	*, 237	262.10(a)					
person who generates a hazardous waste as defined by part 261 is subject to all the applicable independent requirements in the part 262 subparts and sections listed below:	237	262.10(a)(1)					
independent requirements of a very small quantity generator	237	262.10(a)(1)(i)					
section 262.11(a) through (d)	237	262.10(a)(1)(i)(A)					
section 262.13	237	262.10(a)(1)(i)(B)					
independent requirements of a small quantity generator	237	262.10(a)(1)(ii)					
section 262.11	237	262.10(a)(1)(ii)(A)					
section 262.13	237	262.10(a)(1)(ii)(B)					
section 262.18	237	262.10(a)(1)(ii)(C)					
part 262 subpart B	237	262.10(a)(1)(ii)(D)					
part 262 subpart C	237	262.10(a)(1)(ii)(E)					
section 262.40	237	262.10(a)(1)(ii)(F)					
section 262.44	237	262.10(a)(1)(ii)(G)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>part 262 subpart H</b>	<b>237</b>	<b>262.10(a)(1)(ii)(H)</b>					
<b>independent requirements of a large quantity generator</b>	<b>237</b>	<b>262.10(a)(1)(iii)</b>					
<b>section 262.11</b>	<b>237</b>	<b>262.10(a)(1)(iii)(A)</b>					
<b>section 262.13</b>	<b>237</b>	<b>262.10(a)(1)(iii)(B)</b>					
<b>section 262.18</b>	<b>237</b>	<b>262.10(a)(1)(iii)(C)</b>					
<b>part 262 subpart B</b>	<b>237</b>	<b>262.10(a)(1)(iii)(D)</b>					
<b>part 262 subpart C</b>	<b>237</b>	<b>262.10(a)(1)(iii)(E)</b>					
<b>part 262 subpart D, except 262.44; and</b>	<b>237</b>	<b>262.10(a)(1)(iii)(F)</b>					
<b>part 262 subpart H generator that accumulates hazardous waste on site is a person that stores hazardous waste; such generator is subject to the applicable requirements of parts 124, 264 through 267, and 270 and section 3010 of RCRA, unless it is one of the following:</b>	<b>237</b>	<b>262.10(a)(2)</b>					
<b>very small quantity generator that meets the conditions for exemption in 262.14;</b>	<b>237</b>	<b>262.10(a)(2)(i)</b>					
<b>small quantity generator that meets the conditions for exemption in 262.15 and 262.16; or</b>	<b>237</b>	<b>262.10(a)(2)(ii)</b>					
<b>large quantity generator that meets the conditions for exemption in 262.15 and 262.17.</b>	<b>237</b>	<b>262.10(a)(2)(iii)</b>					
<b>generator shall not transport, offer its hazardous waste for transport, or otherwise cause its hazardous waste to be sent to a facility that is not a designated facility, as defined in 260.10 of this chapter, or not otherwise authorized to receive the generator's hazardous waste</b>	<b>237</b>	<b>262.10(a)(3)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
1 <b>262.13</b> must be used to determine <b>which part 262 provisions are applicable to generator based on quantity of waste generated per calendar month</b>	†142 A, <b>237</b>	262.10(b)					
1 <b>Removed and reserved]</b>	II,48, †142 A, <b>237</b>	262.10(c)					
†, 1 <b>any person who exports or imports hazardous wastes must comply with 262.18 and part 262 subpart H</b>	152, <b>222, 236, 237</b>	262.10(d)					
1 importer requirements	II, †142 A, †152	262.10(e)					
1 farmers' requirements	II,48, †142 A, †152, †223	262.10(f)					
1, 2 <b>generator's violation of an independent requirement is subject to penalty and injunctive relief under section 3008 of RCRA</b>	II, †142 A, †152, <b>237</b>	262.10(g)(1)					
2 <b>generator's noncompliance with a part 262 condition for exemption is not subject to penalty or injunctive relief under section 3008 of RCRA; definition of noncompliance; without exemption, violations of storage requirements are subject to penalty and injunctive relief under section 3008 of RCRA</b>	II, †142 A, †152, <b>237</b>	<b>262.10(g)(2)</b>					
1 requirements for initiators of shipment	II, †142 A, †152	262.10(h)					
persons responding to an explosives or munitions emergency not required to comply with Part 262	156	262.10(i)					
3 <b>[Removed and reserved]</b>	<b>No checklist; †223, 237</b>	<b>262.10(j)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
†††, 4 <b>Project XL requirements for certain generators in the Commonwealth of Massachusetts</b>	<b>No checklist; †223</b>	<b>262.10(k)</b>					
<b>laboratories owned by eligible academic entity that chooses to be subject to subpart K of part 262 are not subject to:</b>							
<b>requirements of 262.11 or 262.15 for large quantity generators and small quantity generators, except as provided in subpart K</b>	†220, 236, 237	262.10(l)					
<b>requirements of 262.11 or 262.15 for large quantity generators and small quantity generators, except as provided in subpart K</b>	†220, 236, 237	262.10(l)(1)					
<b>conditions of 262.14, for very small quantity generators, except as provided in subpart K</b>	†220, 236	262.10(l)(2)					
<b>5 HAZARDOUS WASTE DETERMINATION AND RECORDKEEPING</b>							
<b>person who generates solid waste as defined in 261.2 must determine if a waste is a hazardous waste using following steps:</b>							
<b>hazardous waste determination must be made at the point of waste generation</b>	*, 237	262.11					
<b>hazardous waste determination must be made at the point of waste generation</b>	237	262.11(a)					
<b>6 determine whether waste is excluded under 261.4</b>	II, 237	262.11(b)					
<b>7 use knowledge of waste to determine whether waste meets any of the listing descriptions under subpart D, part 261</b>	II, 237	262.11(c)					
<b>8 must also determine whether waste exhibits one more hazardous waste characteristics as identified in subpart C, part 261 by following the procedures in 262.11(d)(1) or (d)(2) or both</b>	II, 78, 83, 237	262.11(d)					
<b>8 apply knowledge of the hazard characteristic of the waste</b>	II, 237	262.11(d)(1)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>8 when available knowledge is inadequate, person must test waste; testing procedures</b>	II, 237	262.11(d)(2)					
	II, 237	262.11(d)(2)(i)					
	II, 237	262.11(d)(2)(ii)					
<b>9</b> refer to Parts 261, 264, 265, 266, 267, 268 and 273 for possible exclusions or restrictions pertaining to management of specific wastes	34, †142A, †223, 237	262.11(e)					
<b>10</b> recordkeeping for small and large quantity generators; retention for 3 years of records supporting hazardous waste determinations	II, 237	262.11(f)					
	237	262.11(g)					
<b>11</b> [Removed and Reserved]	II, 236, 237	262.12					
<b>GENERATOR CATEGORY DETERMINATION</b>							
generator must determine its generator category	237	262.13					
<i>Generators of either acute hazardous waste or non-acute hazardous waste</i>							
generator who either generates acute hazardous waste or non-acute hazardous waste in a calendar month shall determine its generator category for that month by specified method	237	262.13(a)					
		262.13(a)(1)					
		262.13(a)(2)					
		262.13(a)(3)					
<i>Generators of both acute hazardous waste and non-acute hazardous waste</i>							
generator who generates both acute hazardous waste and non-acute hazardous waste in the same calendar month shall determine its generator category for that month by specified method	237	262.13(b)					
		262.13(b)(1)					
		262.13(b)(2)					
		262.13(b)(3)					
		262.13(b)(4)					
generator categories based on quantity of waste generated in a calendar month	237	262.13 Table 1					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
12 when making the monthly quantity-based determinations, generator must include all hazardous waste that it generates, except hazardous waste that:	IA, 17A, 19, 23, 34, †223, 237	262.13(c)					
12 is exempt from regulation under 261.4(c) through (f), 261.6(a)(3), 261.7(a)(1), or 261.8	†142A, 237	262.13(c)(1)					
12 is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities as defined in 260.10	†142A, 237	262.13(c)(2)					
12 is recycled, without prior storage or accumulation, only in an on-site process subject to regulation under 40 CFR 261.6(c)(2)	†142A, 237	262.13(c)(3)					
12 is used oil managed under the requirements of 261.6(a)(4) and part 279	†142A, 237	262.13(c)(4)					
12 is spent lead-acid batteries managed under the requirements of part 266 subpart G	†142A, 237	262.13(c)(5)					
12 is universal waste managed under 261.9 and part 273	†142A, 237	262.13(c)(6)					
12 is a hazardous waste that is an unused commercial chemical product that is generated solely as a result of a laboratory clean-out conducted at an eligible academic entity pursuant to 262.213; or	†220, 237	262.13(c)(7)					
is managed as part of an episodic event in compliance with the conditions of subpart L of part 262	237	262.13(c)(8)					

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<b>13 hazardous waste quantity exclusions</b>	<b>IA, 23, 237</b>	<b>262.13(d)</b>					
		<b>262.13(d)(1)</b>					
		<b>262.13(d)(2)</b>					
		<b>262.13(d)(3)</b>					
<b>based on the generator category, generator must meet the applicable independent requirements listed in 262.10; generator's category also determines which of the provisions of 262.14, 262.15, 262.16 or 262.17 must be met to obtain an exemption, and operating requirements when accumulating hazardous waste</b>	<b>237</b>	<b>262.13(e)</b>					
<i>Mixing hazardous wastes with solid wastes</i>							
<b>14 very small quantity generator wastes</b>	<b>237</b>	<b>262.13(f)(1)</b>					
<b>14 may be mixed with non-hazardous waste</b>	<b>IA, †17A, 23, 237</b>	<b>262.13(f)(1)(i)</b>					
<b>if resulting mixture exhibits a characteristic of hazardous waste; mixtures exceeding exclusion level</b>	<b>IA, †17A, 23, 237</b>	<b>262.13(f)(1)(ii)</b>					
<b>14 mixtures with used oil subject to part 279 requirements</b>	<b>IA, †17A, 23, †112, †122, †203, 237</b>	<b>262.13(f)(1)(iii)</b>					
<b>small quantity generator and large quantity generator wastes</b>	<b>237</b>	<b>262.13(f)(2)</b>					
<b>may be mixed with non-hazardous waste</b>	<b>237</b>	<b>262.13(f)(2)(i)</b>					
<b>if resulting mixture exhibits a characteristic of hazardous waste; mixtures exceeding exclusion level</b>	<b>237</b>	<b>262.13(f)(2)(ii)</b>					
<b>CONDITIONS FOR EXEMPTION FOR A VERY SMALL QUANTITY GENERATOR</b>							
<b>15 conditions under which generator is exempted from full regulation:</b>	<b>IA, 23, 34, 47, †223, 237</b>	<b>262.14(a)</b>					



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<b>16 in a calendar month, generates less than or equal to amounts specified in 260.10 definition of “very small quantity generator”</b>	<b>IA, †17A, 23, †223, 237</b>	<b>262.14(a)(1)</b>					
<b>17 complies with 262.11(a) through (d)</b>	<b>23, 237</b>	<b>262.14(a)(2)</b>					
<b>18 accumulation greater than 1kg (2.2 lbs) of acute hazardous waste or 100 kg (220 lbs) of residue or contaminated soil, water or other debris resulting from spill subject to additional conditions for exemption</b>	<b>IA, 23, 34, 47, †223, 237</b>	<b>262.14(a)(3)</b>					
<b>waste is held on site for no more than 90 days beginning on the date when the accumulated wastes exceed the specified amounts</b>	<b>237</b>	<b>262.14(a)(3)(i)</b>					
<b>conditions for exemption in 262.17(a) through (g)</b>	<b>237</b>	<b>262.14(a)(3)(ii)</b>					
<b>19 accumulation of 1,000 kilograms (2,200 lbs) or greater of non-acute hazardous waste subject to additional conditions for exemption:</b>	<b>237</b>	<b>262.14(a)(4)</b>					
<b>waste held on site for no more than 180 days, or 270 days, if applicable, beginning on the date when the accumulated waste exceed the specified amounts</b>	<b>237</b>	<b>262.14(a)(4)(i)</b>					
<b>quantity of waste accumulated on site never exceeds 6,000 kilograms (13,200 lbs); and</b>	<b>237</b>	<b>262.14(a)(4)(ii)</b>					
<b>conditions for exemption in 262.16(b)(2) through (f)</b>	<b>237</b>	<b>262.14(a)(4)(iii)</b>					

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<b>20</b>  generator that accumulates hazardous waste in amounts less than or equal to the limits in 261.14(a)(3) and (4) must either treat or dispose of its waste in an on-site facility or ensure delivery to an off-site treatment, storage, or disposal facility, either of which, if located in the U.S., is one of the listed treatment and disposal facilities	<b>23, 31, 237</b>	<b>262.14(a)(5)</b>					
	<b>23, 31, 237</b>	<b>262.14(a)(5)(i)</b>					
	<b>23, 31, 237</b>	<b>262.14(a)(5)(ii)</b>					
	<b>23, 31, 237</b>	<b>262.14(a)(5)(iii)</b>					
	<b>23, 31, 153, 237</b>	<b>262.14(a)(5)(iv)</b>					
	<b>153, 237</b>	<b>262.14(a)(5)(v)</b>					
	<b>23, 31, 153, 237</b>	<b>262.14(a)(5)(vi)</b>					
	<b>23, 31, 153, 237</b>	<b>262.14(a)(5)(vi)(A)</b>					
	<b>23, 31, †142A, 153, 237</b>	<b>262.14(a)(5)(vi)(B)</b>					
	<b>23, 31, †142A, 153 237</b>	<b>262.14(a)(5)(vii)</b>					
<b>large quantity generator under the control of the same person as the very small quantity generator, provided specified conditions are met</b>	<b>237</b>	<b>262.14(a)(5)(viii)</b>					
		<b>262.14(a)(5)(viii)(A)</b>					
		<b>262.14(a)(5)(viii)(B)</b>					
		<b>262.14(a)(5)(viii)(B)(1)</b>					
		<b>262.14(a)(5)(viii)(B)(2)</b>					
<b>placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not sorbents have been added) in any landfill is prohibited</b>	<b>237</b>	<b>262.14(b)</b>					
<b>generator experiencing an episodic event may generate and accumulate hazardous waste in accordance with subpart L of this part in lieu of 262.15, 262.16, and 262.17</b>	<b>237</b>	<b>262.14(c)</b>					

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<b>SATELLITE ACCUMULATION AREA REGULATIONS FOR SMALL AND LARGE QUANTITY GENERATORS</b>							
<b>21 accumulation of up to 55 gal. of hazardous waste or 1 qt. acutely hazardous waste at point of generation without permit or interim status, provided 262.15 conditions of exemption are met; generator may comply with alternate conditions in 262.16(b) or 262.17(a), except as required in 262.15(a)(7) and (a)(8)</b>	12, †223, 237	262.15(a)					
<b>22 procedures for container not in good condition, or leaking; compliance 262.16(b) or 262.17(a).</b>	12, 237	262.15(a)(1)					
<b>22 The generator must use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be accumulated, so that the ability of the container to contain the waste is not impaired.</b>	12, 237	262.15(a)(2)					
<b>requirements for incompatible wastes, or incompatible wastes and materials</b>	237	262.15(a)(3)					
		262.15(a)(3)(i)					
		262.15(a)(3)(ii)					
		262.15(a)(3)(iii)					
<b>22 container holding hazardous waste must be closed at all times during accumulation; exceptions</b>	237	262.15(a)(4)					
		262.15(a)(4)(i)					
		262.15(a)(4)(ii)					
		262.15(a)(4)(ii)(A)					
		262.15(a)(4)(ii)(B)					
<b>23 generator must mark or label its container as follows:</b>	12, 237	262.15(a)(5)					
		262.15(a)(5)(i)					
<b>the words “Hazardous Waste” and</b>							
<b>an indication of the hazards of the contents</b>	237	262.15(a)(5)(ii)					

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<b>24 requirements for generator who accumulates either acute hazardous waste listed in 261.31 or 261.33(e) or non-acute hazardous waste in excess of the amounts listed in 262.15(a) at or near any point of generation</b>	<b>12, †223, 237</b>	<b>262.15(a)(6)</b>					
		<b>262.15(a)(6)(i)</b>					
		<b>262.15(a)(6)(ii)</b>					
		<b>262.15(a)(6)(ii)(A)</b>					
		<b>262.15(a)(6)(ii)(B)</b>					
		<b>262.15(a)(6)(ii)(C)</b>					
		<b>262.15(a)(6)(iii)</b>					
<b>satellite accumulation areas operated by a small quantity generator must meet the requirements of 262.16(b)(8) and 262.16(b)(9)</b>	<b>237</b>	<b>262.15(a)(7)</b>					
<b>satellite accumulation areas operated by a large quantity generator must meet the requirements in subpart M of part 262</b>	<b>237</b>	<b>262.15(a)(8)</b>					
<b>[Reserved]</b>	<b>237</b>	<b>262.15(b)</b>					
<b>25 CONDITIONS FOR EXEMPTION FOR A SMALL QUANTITY GENERATOR THAT ACCUMULATES HAZARDOUS WASTE</b>							
<b>small quantity generator may accumulate hazardous waste on site without a permit or interim status; exempted from regulations provided all conditions for exemptions listed in 262.16 are met:</b>	<b>237</b>	<b>262.16</b>					
<b>26 generates in a calendar month no more than the amounts specified in the definition of “small quantity generator” in 260.10</b>	<b>23, 237</b>	<b>262.16(a)</b>					
<b>26 accumulates hazardous waste on site for no more than 180 days, unless in compliance with the conditions for exemption for longer accumulation in 261.16(d) and (e); accumulation conditions</b>	<b>23, 237</b>	<b>262.16(b)</b>					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>27 quantity never exceeds 6,000 kilograms (13,200 pounds)</b>	<b>23, 237</b>	<b>262.16(b)(1)</b>					
<b>27 Accumulation of hazardous waste in containers</b>							
<b>condition of containers; requirements for containers not in good condition or leaking.</b>	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(i)</b>					
<b>compatibility of waste with container</b>	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(ii)</b>					
<b>requirements for the management of containers; remedial action required per 261.16(b)(2)(i)</b>	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(iii)</b>					
	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(iii)(A)</b>					
	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(iii)(B)</b>					
<b>weekly inspection of central accumulation areas</b>	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(iv)</b>					
<b>special conditions for accumulation of incompatible wastes</b>	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(v)</b>					
	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(v)(A)</b>					
	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(v)(B)</b>					
	<b>23, 28, 154, 237</b>	<b>262.16(b)(2)(v)(C)</b>					
<b>27 Accumulation of hazardous waste in tanks</b>							
<b>[Reserved]</b>	<b>237</b>	<b>262.16(b)(3)(i)</b>					
<b>general operating requirements</b>	<b>28, 237</b>	<b>262.16(b)(3)(ii)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(ii)(A)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(ii)(B)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(ii)(C)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(ii)(D)</b>					
<b>inspection requirements for SQG that accumulates hazardous waste in tanks, except as noted in 261.16(b)(3)(iv)</b>	<b>28, 237</b>	<b>262.16(b)(3)(iii)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(iii)(A)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(iii)(B)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(iii)(C)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(iii)(D)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(iii)(E)</b>					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>inspection requirements for SQG accumulating hazardous waste in tanks or tank systems that have full secondary containment and that either use leak detection equipment to alert personnel to leaks, or implement established workplace practices to ensure leaks are promptly identified</b>	<b>28, 237</b>	<b>262.16(b)(3)(iv)</b>					
<b>[Reserved]</b>	<b>237</b>	<b>262.16(b)(3)(v)</b>					
<b>closure requirements for SQG accumulating hazardous waste in tanks</b>	<b>28, 237</b>	<b>262.16(b)(3)(vi)</b>					
<b>compliance with special conditions for accumulation of ignitable or reactive waste</b>	<b>28, 237</b>	<b>262.16(b)(3)(vii)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(A)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(A)(1)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(A)(2)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(A)(3)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(B)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(C)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(C)(1)</b>					
	<b>28, 237</b>	<b>262.16(b)(3)(vii)(C)(2)</b>					
<b>28</b>	<b>237</b>	<b>262.16(b)(4)</b>					
<b>requirements for the accumulation of hazardous waste on drip pads</b>	<b>237</b>	<b>262.16(b)(4)(i)</b>					
	<b>237</b>	<b>262.16(b)(4)(ii)</b>					
	<b>237</b>	<b>262.16(b)(4)(iii)</b>					
	<b>237</b>	<b>262.16(b)(4)(iii)(A)</b>					
	<b>237</b>	<b>262.16(b)(4)(iii)(B)</b>					
	<b>237</b>	<b>262.16(b)(4)(iii)(C)</b>					
<b>28</b>	<b>237</b>	<b>262.16(b)(5)</b>					
	<b>237</b>	<b>262.16(b)(5)(i)</b>					
	<b>237</b>	<b>262.16(b)(5)(ii)</b>					
	<b>237</b>	<b>262.16(b)(5)(ii)(A)</b>					
	<b>237</b>	<b>262.16(b)(5)(ii)(B)</b>					
	<b>237</b>	<b>262.16(b)(5)(ii)(C)</b>					
<b>28</b>	<b><i>Labeling and marking of containers and tanks</i></b>						
<b>29</b>	<b>generator must mark or label its container as follows:</b>	<b>23,28,83, 179, 237</b>	<b>262.16(b)(6)(i)</b>				
<b>29</b>	<b>the words “Hazardous Waste”</b>	<b>23, 237</b>	<b>262.16(b)(6)(i)(A)</b>				
	<b>an indication of the hazards of the contents</b>	<b>237</b>	<b>262.16(b)(6)(i)(B)</b>				

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>30</b> date upon which each period of accumulation begins clearly visible for inspection on each container	23, 237	262.16(b)(6)(i)(C)					
<b>29</b> generator must mark or label its tank as follows:	23, 237	262.16(b)(6)(ii)					
<b>29</b> the words “Hazardous Waste”	23, 237	262.16(b)(6)(ii)(A)					
an indication of the hazards of the contents	237	262.16(b)(6)(ii)(B)					
requirements for inventory logs, monitoring equipment, or other records	237	262.16(b)(6)(ii)(C)					
keep inventory logs or records with the required information on site and readily available for inspection.	237	262.16(b)(6)(ii)(D)					
<b>31</b> small quantity generator must comply with all the applicable requirements under part 268.	83, 179, †223, 237	262.16(b)(7)					
<b>32</b> <i>Preparedness and prevention</i>							
requirements for maintenance and operation of facility.	237	262.16(b)(8)(i)					
required equipment	237	262.16(b)(8)(ii)					
	237	262.16(b)(8)(ii)(A)					
	237	262.16(b)(8)(ii)(B)					
	237	262.16(b)(8)(ii)(C)					
	237	262.16(b)(8)(ii)(D)					
testing and maintenance of equipment	237	262.16(b)(8)(iii)					
access to communications or alarm system.	237	262.16(b)(8)(iv)					
	237	262.16(b)(8)(iv)(A)					
	237	262.16(b)(8)(iv)(B)					
required aisle space	237	262.16(b)(8)(v)					
arrangements with local authorities	237	262.16(b)(8)(vi)					
	237	262.16(b)(8)(vi)(A)					
	237	262.16(b)(8)(vi)(A)(1)					
	237	262.16(b)(8)(vi)(A)(2)					
	237	262.16(b)(8)(vi)(A)(3)					
	237	262.16(b)(8)(vi)(B)					
	237	262.16(b)(8)(vi)(C)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>33</b>  compliance with specific emergency conditions and procedures	23, 28, 237	<b>262.16(b)(9)</b>					
		<b>262.16(b)(9)(i)</b>					
		<b>262.16(b)(9)(ii)</b>					
		<b>262.16(b)(9)(ii)(A)</b>					
		<b>262.16(b)(9)(ii)(B)</b>					
		<b>262.16(b)(9)(ii)(C)</b>					
		<b>262.16(b)(9)(iii)</b>					
		<b>262.16(b)(9)(iv)</b>					
		<b>262.16(b)(9)(iv)(A)</b>					
		<b>262.16(b)(9)(iv)(B)</b>					
		<b>262.16(b)(9)(iv)(C)</b>					
		<b>262.16(b)(9)(iv)(C)(1)</b>					
		<b>262.16(b)(9)(iv)(C)(2)</b>					
		<b>262.16(b)(9)(iv)(C)(3)</b>					
		<b>262.16(b)(9)(iv)(C)(4)</b>					
<b>262.16(b)(9)(iv)(C)(5)</b>							
transporting over 200 miles; 270-day accumulation time without permit or interim status; compliance with 262.16(b)	237	262.16(c)					
accumulation time limit extension; generator who accumulates waste in excess of the required time period subject to full regulation unless granted an extension.	237	262.16(d)					
rejected load requirements	207, 237	262.16(e) 262.16(e)(1) 262.16(e)(2)					
small quantity generator experiencing an episodic event may accumulate hazardous waste in accordance with subpart L in lieu of 262.17.	237	262.16(f)					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>34 CONDITIONS FOR EXEMPTION FOR A LARGE QUANTITY GENERATOR THAT ACCUMULATES HAZARDOUS WASTE</b>							
<b>35 large quantity generator may accumulate hazardous waste on site without a permit or interim status; exempted from regulations provided all conditions for exemptions listed in 262.17 are met:</b>	II, 23, †223, 237	262.17					
<b>35 accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension or F006 accumulation conditions for exemption in 262.17(b) through (e); flowing condition also apply:</b>	II, 23, †223, 237	262.17(a)					
<i>Accumulation of hazardous waste in containers</i>							
<b>36 if the hazardous waste is placed in containers, the large quantity generator must comply with the following:</b>	II, 28, 92, 177, 237	262.17(a)(1)					
applicable requirements of subparts AA, BB, and CC of part 265	II, 92, 177, 237	262.17(a)(1)(i)					
condition of containers; requirements for containers not in good condition or leaking	II, 92, 177, 237	262.17(a)(1)(ii)					
compatibility of waste with container	II, 92, 177, 237	262.17(a)(1)(iii)					
requirements for the management of containers	II, 92, 177, 237	262.17(a)(1)(iv)					
		262.17(a)(1)(iv)(A)					
		262.17(a)(1)(iv)(B)					
weekly inspection of central accumulation area	II, 92, 177, 237	262.17(a)(1)(v)					
special conditions for accumulation of ignitable and reactive wastes	II, 92, 177, 237	262.17(a)(1)(vi)					
		262.17(a)(1)(vi)(A)					
		262.17(a)(1)(vi)(B)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>special conditions for accumulation of incompatible wastes</b>	<b>II, 92, 177, 237</b>	<b>262.17(a)(1)(vii)</b>					
		<b>262.17(a)(1)(vii)(A)</b>					
		<b>262.17(a)(1)(vii)(B)</b>					
		<b>262.17(a)(1)(vii)(C)</b>					
<b>37 accumulation of hazardous waste in tanks</b>	<b>II, 92, 177, 237</b>	<b>262.17(a)(2)</b>					
<b>38 accumulation of hazardous waste on drip pads</b>	<b>82, 92, 109, 237</b>	<b>262.17(a)(3)</b>					
		<b>262.17(a)(3)(i)</b>					
		<b>262.17(a)(3)(ii)</b>					
		<b>262.17(a)(3)(iii)</b>					
		<b>262.17(a)(3)(iii)(A)</b>					
<b>39 accumulation of hazardous waste in containment buildings</b>	<b>109, 214, 237</b>	<b>262.17(a)(4)</b>					
		<b>262.17(a)(4)(i)</b>					
		<b>262.17(a)(4)(ii)</b>					
	<b>109, 237</b>	<b>262.17(a)(4)(ii)(A)</b>					
	<b>109, †223, 237</b>	<b>262.17(a)(4)(ii)(B)</b>					
		<b>262.17(a)(4)(ii)(C)</b>					
<i>Labeling and marking of containers and tanks</i>							
<b>40 generator must mark or label its container as follows:</b>	<b>II, 82, 92, 237</b>	<b>262.17(a)(5)(i)</b>					
<b>40 the words “Hazardous Waste”</b>	<b>II, 82, 92, 237</b>	<b>262.17(a)(5)(i)(A)</b>					
<b>an indication of the hazards of the contents</b>	<b>237</b>	<b>262.17(a)(5)(i)(B)</b>					
<b>41 date upon which each period of accumulation begins clearly visible for inspection on each container</b>	<b>II, 82, 92, 109, †223, 237</b>	<b>262.17(a)(5)(i)(C)</b>					
<b>40 generator must mark or label its tank as follows:</b>	<b>II, 82, 92, 237</b>	<b>262.17(a)(5)(ii)</b>					
<b>40 the words “Hazardous Waste”</b>	<b>II, 82, 92, 237</b>	<b>262.17(a)(5)(ii)(A)</b>					
<b>an indication of the hazards of the contents</b>	<b>237</b>	<b>262.17(a)(5)(ii)(B)</b>					
<b>requirements for inventory logs, monitoring equipment, or other records</b>	<b>237</b>	<b>262.17(a)(5)(ii)(C)</b>					
<b>keep inventory logs or records with the required information on site and readily available for inspection</b>	<b>237</b>	<b>262.17(a)(5)(ii)(D)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>42 emergency procedures: large quantity generator complies with the standards in subpart M of part 262</b>	<b>II, †223, 237</b>	<b>262.17(a)(6)</b>					
<b>43 Personnel training</b>							
<b>facility personnel must successfully complete a program of classroom instruction, online training or on-the-job training; must ensure that program includes all the elements described under 262.17(a)(7)(iv)</b>	<b>II, 237</b>	<b>262.17(a)(7)(i)(A)</b>					
<b>must be directed by a person trained in hazardous waste management procedures</b>	<b>II, 237</b>	<b>262.17(a)(7)(i)(B)</b>					
<b>training must be designed to ensure facility personnel are able to respond effectively to emergencies; minimum requirements</b>	<b>II, 237</b>	<b>262.17(a)(7)(i)(C)</b>					
		<b>262.17(a)(7)(i)(C)(1)</b>					
		<b>262.17(a)(7)(i)(C)(2)</b>					
		<b>262.17(a)(7)(i)(C)(3)</b>					
		<b>262.17(a)(7)(i)(C)(4)</b>					
		<b>262.17(a)(7)(i)(C)(5)</b>					
<b>262.17(a)(7)(i)(C)(6)</b>							
<b>facility employees that receive emergency response training pursuant to OSHA regulations 29 CFR 1910.120(p)(8) and 1910.120(q)</b>	<b>II, 237</b>	<b>262.17(a)(7)(i)(D)</b>					
<b>personnel must successfully complete the program required in 262.17(a)(7)(i) within six months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later; employees must not work in unsupervised positions until they have completed the 262.17(a)(7)(i) training standards</b>	<b>II, 237</b>	<b>262.17(a)(7)(ii)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
personnel must take part in an annual review of the initial training required in 262.17(a)(7)(i)	II, 237	262.17(a)(7)(iii)					
documents and records that must be kept	II, 237	262.17(a)(7)(iv)					
		262.17(a)(7)(iv)(A)					
		262.17(a)(7)(iv)(B)					
		262.17(a)(7)(iv)(C)					
How long records must be kept; training records may accompany personnel transferred within the same company	II, 237	262.17(a)(7)(v)					
<b>44 Closure</b>							
requirements for large quantity generator accumulating hazardous wastes in containers, tanks, drip pads, and containment buildings, prior to closing a unit at the facility, or prior to closing the facility	II, 82, 92, †109, †223, 237	262.17(a)(8)					
notification for closure of a waste accumulation unit	237	262.17(a)(8)(i)					
	237	262.17(a)(8)(i)(A)					
	237	262.17(a)(8)(i)(B)					
notification for closure of the facility	237	262.17(a)(8)(ii)					
	237	262.17(a)(8)(ii)(A)					
	237	262.17(a)(8)(ii)(B)					
closure performance standards for container, tank systems, and containment building waste accumulation units	237	262.17(a)(8)(iii)(C)					
	237	262.17(a)(8)(iii)					
	237	262.17(a)(8)(iii)(A)					
	237	262.17(a)(8)(iii)(A)(1)					
closure performance standards for drip pad waste accumulation units	237	262.17(a)(8)(iii)(A)(2)					
	237	262.17(a)(8)(iii)(A)(3)					
	237	262.17(a)(8)(iii)(A)(4)					
closure requirements of 262.17(a)(8) do not apply to satellite accumulation areas	237	262.17(a)(8)(iv)					
closure requirements of 262.17(a)(8) do not apply to satellite accumulation areas	237	262.17(a)(8)(v)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>45 large quantity generator complies with all applicable requirements under part 268</b>	<b>II, 78, †183, †223, 237</b>	<b>262.17(a)(9)</b>					
<b>46 accumulation time limit extension</b>	<b>II, †223, 237</b>	<b>262.17(b)</b>					
<b>47 accumulation of F006</b>	<b>184, 237</b>	<b>262.17(c)</b>					
		<b>262.17(c)(1)</b>					
		<b>262.17(c)(2)</b>					
		<b>262.17(c)(3)</b>					
<b>F006 waste is managed in accordance with the following:</b>	<b>184, 237</b>	<b>262.17(c)(4)</b>					
<b>if the F006 waste is placed in containers, must comply with the applicable conditions for exemption in 262.17(a)(1); and/or</b>	<b>184, 237</b>	<b>262.17(c)(4)(i)(A)</b>					
<b>if the F006 is placed in tanks, must comply with the applicable conditions for exemption of 262.17(a)(2); and/or</b>	<b>184, 237</b>	<b>262.17(c)(4)(i)(B)</b>					
<b>if the F006 is placed in containment buildings, must comply with subpart DD of part 265, and has placed its professional engineer certification that the building complies with the design standards specified in 265.1101 in the facility's files prior to operation of the unit; must maintain specified records</b>	<b>184, 237</b>	<b>262.17(c)(4)(i)(C)</b>					
	<b>184, 237</b>	<b>262.17(c)(4)(i)(C)(I)</b>					
<b>generator is exempt from all the requirements in subparts G and H of part 265, except for those referenced in 262.17(a)(8)</b>	<b>184, 237</b>	<b>262.17(c)(4)(ii)</b>					
<b>date upon which each period of accumulation begins is clearly marked and must be clearly visible for inspection on each container</b>	<b>184, 237</b>	<b>262.17(c)(4)(iii)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
while being accumulated on site, each container and tank is labeled or marked clearly with:	184, 237	262.17(c)(4)(iv)					
the words “Hazardous Waste”; and	184, 237	262.17(c)(4)(iv)(A)					
an indication of the hazards of the contents	184, 237	262.17(c)(4)(iv)(B)					
large quantity generator complies with the requirements in 262.17(a)(6) and (7)	184, 237	262.17(c)(4)(v)					
48 F006 transported over 200 miles	184, 237	262.17(d)					
48 F006 accumulation time extension	184, †223, 237	262.17(e)					
consolidation of hazardous waste received from very small quantity generators; requirements	237	262.17(f)					
		262.17(f)(1)					
		262.17(f)(1)(i)					
		262.17(f)(1)(ii)					
		262.17(f)(2)					
49 rejected load requirements	207, 237	262.17(g)					
		262.17(g)(1)					
		262.17(g)(2)					
<b>11 EPA IDENTIFICATION NUMBERS AND RE-NOTIFICATION FOR SMALL QUANTITY GENERATORS AND LARGE QUANTITY GENERATORS</b>							
EPA identification number required.	II, 237	262.18(a)					
application for EPA ID number using EPA Form 8700-12	II, 237	262.18(b)					
generator must not offer its hazardous waste to TSDFs without EPA ID numbers	II, 237	262.18(c)					
<i>Re-notification</i>							
small quantity generator must re-notify EPA starting in 2021 and every four years using EPA Form 8700-12; submission by September 1 <sup>st</sup> of each year	237	262.18(d)(1)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>large quantity generator must re-notify EPA by March 1 of each even-numbered year using EPA Form 8700-12; may submit re-notification as part of its Biennial Report required under 262.41</b>	237	262.18(d)(2)					
<b>11 recognized trader must not arrange for import or export of hazardous waste without having received an EPA ID number</b>	236, 237	262.18(e)					
<b>50 SUBPART B - MANIFEST REQUIREMENTS APPLICABLE TO SMALL AND LARGE QUANTITY GENERATORS</b>							
<b>GENERAL REQUIREMENTS</b>							
<b>51</b> offsite transportation; manifest preparation; use of EPA Forms 8700-22 and 8700-22A	II, 5, 207, 239	262.20(a)(1)					
<b>†††, 52</b> revised manifest form and procedures shall not apply until September 5, 2006; manifest form and procedures contained in the July 1, 2004 CFR shall be applicable until September 5, 2006	207, 239	262.20(a)(2)					
<b>Electronic manifest. In lieu of using the manifest form specified in paragraph (a)(1), a person may prepare and use an electronic manifest, provided that the person:</b>	231	262.20(a)(3)					
<b>complies with the requirements in 262.24 of this part for use of electronic manifests, and</b>	231	262.20(a)(3)(i)					
<b>53</b> complies with the requirements of 40 CFR 3.10	231	262.20(a)(3)(ii)					
designated facility permitted to handle waste	II	262.20(b)					
designated alternate facility	II	262.20(c)					
procedures when transporter unable to deliver	II	262.20(d)					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
exemption for generators of 100 kg to 1000 kg/month under specified conditions	23	262.20(e)					
		262.20(e)(1)					
		262.20(e)(1)(i)					
		262.20(e)(1)(ii)					
		262.20(e)(2)					
† exemption for transporters of hazardous waste on a right-of-way within or along the border of contiguous property; generator/transporter requirements if discharge	156	262.20(f)					
<b>54 MANIFEST TRACKING NUMBERS, MANIFEST PRINTING, AND OBTAINING MANIFEST</b>							
<b>55 registrant may not print, or have printed, the manifest for use or distribution unless it has received approval from the EPA Director of ORCR</b>	<b>207</b>	<b>262.21(a)(1)</b>					
<b>approved registrant is responsible for ensuring that organizations identified in its application are in compliance with required procedures; registrant is responsible for assigning manifest tracking numbers to its manifests.</b>	<b>207</b>	<b>262.21(a)(2)</b>					
<b>55 registrant must submit an initial application to the EPA Director of ORCR that contains specific information</b>	<b>207</b>	<b>262.21(b)</b>					
<b>name and mailing address of registrant</b>	<b>207</b>	<b>262.21(b)(1)</b>					
<b>name, telephone number and email address of contact person</b>	<b>207</b>	<b>262.21(b)(2)</b>					
<b>brief description of registrant's government or business activity</b>	<b>207</b>	<b>262.21(b)(3)</b>					
<b>EPA identification number of the registrant if applicable</b>	<b>207</b>	<b>262.21(b)(4)</b>					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>Description of the scope of the operations that the registrant plans to undertake in printing, distributing, and using its manifests</b>	207	<b>262.21(b)(5)</b>					
		<b>262.21(b)(5)(i)</b>					
		<b>262.21(b)(5)(ii)</b>					
		<b>262.21(b)(5)(iii)</b>					
<b>brief description of the qualifications of the company that will print the manifest</b>	207	<b>262.21(b)(6)</b>					
<b>proposed unique three-letter manifest tracking number suffix; if registrant is approved to print the manifest, the registrant must use this suffix</b>	207	<b>262.21(b)(7)</b>					
<b>55 signed certification by a duly authorized employee of the registrant that the organizations and companies in its application will comply with the required procedures of its approved application; notify the EPA Director of ORCR of any duplicated manifest tracking numbers as soon as it becomes known.</b>	207	<b>262.21(b)(8)</b>					
<b>EPA will review application submitted under 262.21(b)</b>	207	<b>262.21(c)</b>					
<b>upon EPA approval, EPA will provide registrant an electronic file of manifest, continuation sheet, and instructions; registrant to submit three manifests and continuation sheet samples, except as noted in 262.21(d)(3); registrant's samples must meet 262.21(f) specifications and be printed by the company that will print the manifest per 261.21(c)</b>	207	<b>262.21(d)(1)</b>					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>registrant must submit a description of the manifest samples as specified</b>	207	<b>262.21(d)(2)</b>					
		<b>262.21(d)(2)(i)</b>					
		<b>262.21(d)(2)(ii)</b>					
		<b>262.21(d)(2)(iii)</b>					
		<b>262.21(d)(2)(iv)</b>					
<b>registrant need not submit samples of the continuation sheet if it is printed on same paper and uses same ink and binding as manifest samples.</b>	207	<b>262.21(d)(3)</b>					
<b>EPA will evaluate the forms and either approve the registrant to print as proposed or request information or modification; mail notification by EPA; EPA approval to use or distribute forms; manifest must be printed according to application approved per 262.21(c) and 262.21(f) manifest specifications; must print using the approved paper type, ink color, and binding method.</b>	207	<b>262.21(e)</b>					
<b>paper manifests and continuation sheets must be printed according to specifications</b>	207	<b>262.21(f)</b>					
<b>manifest and continuation sheet must be printed with the exact format and appearance as EPA Forms format; information required to complete manifest may be pre-printed.</b>	207	<b>262.21(f)(1)</b>					
<b>unique tracking number assigned w/ EPA approved numbering system</b>	207	<b>262.21(f)(2)</b>					
<b>manifest and continuation sheet must be printed on durable 8.5x11 in. white paper</b>	207	<b>262.21(f)(3)</b>					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>56 the manifest and continuation sheet must be printed in black ink, except marginal words indicating copy distribution must be in distinct ink color or with another method that clearly distinguishes the copy distribution notations from the other text and data entries</b>	207	262.21(f)(4)					
<b>manifest and continuation sheet must be printed as five-copy forms as specified; handwritten and typed impressions must be legible; copies must be bound together by one or more common stubs</b>	207, 239	262.21(f)(5)					
<b>57 each copy of the manifest and continuation sheet must indicate how the copy must be distributed as specified</b>	207, 239	262.21(f)(6)					
<b>58 page 1 (top copy) “Designated facility to EPA’s e-manifest system”</b>	239	262.21(f)(6)(i)					
<b>[Removed]</b>	207, 239	262.21(f)(6)(ii)					
<b>page 2 “Designated facility to generator”</b>	207, 239	262.21(f)(6)(ii)					
<b>page 3 “Designated facility copy”</b>	207, 239	262.21(f)(6)(iii)					
<b>page 4 “Transporter copy”</b>	207, 239	262.21(f)(6)(iv)					
<b>page 5 (bottom copy) “Generator’s initial copy”</b>	207, 239	262.21(f)(6)(v)					
<b>instructions in appendix to part 262 must appear legibly on the back of the copies of the manifest and continuation sheet as provided in 262.21(f); instructions must not be visible through the front of the copies when photocopied or faxed.</b>	207, 239	262.21(f)(7)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>Manifest Form 8700-22 instructions</b>	207, 239	<b>262.21(f)(7)(i)</b>					
		<b>262.21(f)(7)(i)(A)</b>					
		<b>262.21(f)(7)(i)(B)</b>					
		<b>262.21(f)(7)(i)(C)</b>					
<b>Manifest Form 8700-22A instructions</b>	207, 239	<b>262.21(f)(7)(ii)</b>					
		<b>262.21(f)(7)(ii)(A)</b>					
		<b>262.21(f)(7)(ii)(B)</b>					
		<b>262.21(f)(7)(ii)(C)</b>					
<b>designated facility copy of manifest and continuation sheet must include warning about responsibilities of recipient</b>	239	<b>262.21(f)(8)</b>					
<b>generator may use manifests printed by any source so long as the source of the printed form has received approval from EPA to print the manifest; may be:</b>	207	<b>262.21(g)(1)</b>					
<b>state agency</b>	207	<b>262.21(g)(1)(i)</b>					
<b>commercial printer</b>	207	<b>262.21(g)(1)(ii)</b>					
<b>hazardous waste generator, transporter or TSDF</b>	207	<b>262.21(g)(1)(iii)</b>					
<b>hazardous waste broker or other preparer</b>	207	<b>262.21(g)(1)(iv)</b>					
<b>generator must determine whether the generator state or consignment state regulates any additional wastes or whether the consignment or generator state requires generator to submit any copies of the manifest to these states; generator is responsible for supplying photocopies.</b>	207	<b>262.21(g)(2)</b>					
<b>55 requirements for an update of information provided in application; submission to, and approval by, Director of ORCR</b>	207	<b>262.21(h)(1)</b>					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>55 requirements for a request for a new tracking number suffix; submission to, and approval by, Director of ORCR</b>	207	262.21(h)(2)					
<b>55 requirements for change in paper type or weight, or ink color, or binding method of manifest or continuation sheet; submission to, and approval by, Director of ORCR</b>	207	262.21(h)(3)					
<b>if, subsequent to approval, a registrant typesets its manifest or continuation sheet instead of using the electronic file of the forms provided by EPA requirements</b>	207	262.21(i)					
<b>conditions under which EPA may exempt a registrant from the requirement to submit form samples; registrant may request an exemption from EPA</b>	207	262.21(j)					
<b>approved registrant must notify EPA by phone or email as soon as it becomes aware that it has duplicated tracking numbers on any manifests that have been used or distributed</b>	207	262.21(k)					
<b>if, subsequent to approval of a registrant, EPA becomes aware that the approved paper type, weight, ink color or binding method of registrant's forms is unsatisfactory, EPA will contact the registrant and require modification</b>	207	262.21(l)					
<b>when EPA may suspend and revoke printing privileges</b>	207	262.21(m)(1)					
		262.21(m)(1)(i)					
		262.21(m)(1)(ii)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>EPA will send a warning letter to the registrant that specifies the date by which it must come into compliance; if no compliance, EPA will send a second letter notifying the registrant that EPA has suspended or revoked its printing privileges; approved registrant must provide information on its printing activities to EPA if requested.</b>	207	262.21(m)(2)					
<b>NUMBER OF COPIES</b>							
file copies; copy returned to generator	II	262.22					
<b>USE OF THE MANIFEST</b>							
generator's duties	II	262.23(a)					
generator's signature	II	262.23(a)(1)					
initial transporter's signature and date	II	262.23(a)(2)					
retain copy	II	262.23(a)(3)					
copies to transporter	II	262.23(b)					
shipment by water	II	262.23(c)					
shipment by rail	II	262.23(d)					
		262.23(d)(1)					
		262.23(d)(2)					
		262.23(d)(3)					
shipment to State lacking authorization for particular waste	71	262.23(e)					
<b>59 for rejected shipments of hazardous waste or container residues contained in non-empty containers that are returned to the generator by the designated facility (following the procedures of 40 CFR 264.72(f) or 265.72(f)), the generator must:</b>	223	262.23(f)					
<b>sign either:</b>							

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>item 20 of the new manifest if a new manifest is used for the returned shipment; or</b>	<b>223</b>	<b>262.23(f)(1)(i)</b>					
<b>Item 18c of the original manifest if the original manifest is used for the returned shipment;</b>	<b>223</b>	<b>262.23(f)(1)(ii)</b>					
<b>provide the transporter a copy of the manifest;</b>	<b>223</b>	<b>262.23(f)(2)</b>					
<b>within 30 days of delivery of the rejected shipment or container residues contained in non-empty containers, send a copy of the manifest to the designated facility that returned the shipment to the generator; and</b>	<b>223</b>	<b>262.23(f)(3)</b>					
<b>retain at the generator's site a copy of each manifest for at least three years from the date of delivery.</b>	<b>223</b>	<b>262.23(f)(4)</b>					
<b>USE OF THE ELECTRONIC MANIFEST</b>							
<b>legal equivalence to paper manifests – electronic manifests in accordance with 262.20(a)(3) and used in accordance with 262.24 in lieu of EPA forms 8700-22 and 8700-22A are legal equivalence of paper manifest forms bearing handwritten signatures</b>	<b>231</b>	<b>262.24(a)</b>					
<b>60 requirement to sign a manifest or manifest certification by hand, or to obtain a handwritten signature, is satisfied by signing with or obtaining a valid and enforceable electronic signature per 262.25(a)</b>	<b>231</b>	<b>262.24(a)(1)</b>					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>61 requirement to give, provide, send, forward, or return to another person a copy of the manifest is satisfied when an electronic manifest is transmitted to the other person.</b>	231	262.24(a)(2)					
<b>62 requirement for a generator to keep or retain a copy of manifest is satisfied by retention of a signed electronic manifest in the generator's account on the national e-Manifest system, provided copies are readily available for viewing and production if requested by any EPA or authorized state inspector.</b>	231	262.24(a)(3)					
<b>61 conditions under which a generator may not be held liable for the inability to produce an electronic manifest for inspection</b>	231	262.24(a)(4)					
<b>61 generator may participate in the electronic manifest system either by accessing the electronic manifest system from its own electronic equipment, or from a transporter's portable equipment brought to the generator's site</b>	231	262.24(b)					
<b>generator may use an electronic manifest only if it is known at the time the manifest is printed that all waste handlers named on the manifest participate in the use of the electronic manifest; exception</b>	231, 239	262.24(c)					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
generator may sign by hand and retain paper copy of the electronic manifest signed by hand by the initial transporter, in lieu of executing the generator copy electronically; transporter and subsequent waste handlers may execute the remainder of the manifest copies electronically	239	262.24(c)(1)					
[Reserved]	239	262.24(c)(2)					
63 requirement for one printed copy	231	262.24(d)					
special procedures when electronic manifest is unavailable	231, 239	262.24(e)					
special procedures for electronic signature methods undergoing tests	231	262.24(f)					
64 [Removed and reserved]	231, 239	262.24(g)					
post-receipt manifest data correction	239	262.24(h)					
<b>65 ELECTRONIC MANIFEST SIGNATURES</b>							
electronic signature methods for the e-Manifest system shall:	231	262.25(a)					
be a legally valid and enforceable signature under applicable EPA and other Federal requirements	231	262.25(a)(1)					
be a method that is designed and implemented in a manner that EPA considers to be as cost-effective and practical as possible for the users of the manifest.	231	262.25(a)(2)					
<b>WASTE MINIMIZATION CERTIFICATION</b>							
generator who initiates a shipment of hazardous waste must certify to one of the following statements in Item 15 of the uniform hazardous waste manifest:	207	262.27					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>certification for a large quantity generator</b>	<b>207</b>	<b>262.27(a)</b>					
<b>certification for a small quantity generator</b>	<b>207</b>	<b>262.27(b)</b>					

**66 SUBPART C - PRE-TRANSPORT REQUIREMENTS APPLICABLE TO SMALL AND LARGE QUANTITY GENERATORS**

**PACKAGING**

package according to DOT regulations on packaging under 49 CFR 173, 178 and 179	II	262.30					
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**LABELING**

label according to DOT regulations on hazardous materials under 49 CFR 172	II	262.31					
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**MARKING**

mark each package according to DOT regulations on hazardous materials under 49 CFR 172	II	262.32(a)					
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**67 before transporting waste off-site, mark each container of 119 gal. or less used for transportation off-site; specific wording in accordance with 49 CFR 172.304**

II, 207	262.32(b)						
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**HAZARDOUS WASTE—Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency.**

II, 237	262.32(b)(1)						
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**Generator's Name and Address**

II, 237	262.32(b)(2)						
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**Generator's EPA Identification Number**

II, 237	262.32(b)(3)						
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**Manifest Tracking Number**

II, 207, 237	262.32(b)(4)						
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**EPA Hazardous Waste Number(s)**

237	262.32(b)(5)						
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>generator may use a nationally recognized electronic system, such as bar coding, to identify the EPA Hazardous Waste Number(s), as required by 262.32(5) or (d)</b>	237	262.32(c)					
<b>lab packs that will be incinerated in compliance with 268.42(c) are not required to be marked with EPA Hazardous Waste Number(s), except D004, D005, D006, D007, D008, D010, and D011, where applicable</b>	237	262.32(d)					
<b>PLACARDING</b>							
placard prior to off-site shipment; DOT regulations for hazardous materials in accordance with 49 CFR 172, Subpart F	II, 207	262.33					
68 [Removed and reserved]	II, 12, 23, 28, 78, 82, 83, 92, 109, 154, 177, 179, †183, †184, †204, 207, 214, †223, 237	262.34					
<b>LIQUIDS IN LANDFILLS PROHIBITION</b>							
<b>placement of bulk or non-containerized liquid hazardous waste or waste containing free liquids in any landfill is prohibited; compliance with 264.314 and 265.314 prior to disposal</b>	237	262.35					
69 SUBPART D - RECORDKEEPING AND REPORTING APPLICABLE TO SMALL AND LARGE QUANTITY GENERATORS							
<b>RECORDKEEPING</b>							
manifest copy retention for 3 years	II	262.40(a)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
biennial report and exception report retention for 3 years	II, †1	262.40(b)					
<b>see 262.11(f) for recordkeeping requirements for documenting hazardous waste determinations</b>	II, 237	262.40(c)					
automatic extension of retention periods during unresolved enforcement action	II	262.40(d)					
<b>70 BIENNIAL REPORT FOR LARGE QUANTITY GENERATORS</b>							
<b>large quantity generator for at least one month of an odd-numbered reporting year and is off-site shipper must submit EPA Form 8700-13 A/B by March 1 of the following even-numbered year; what must be submitted</b>	II, 1, 31, 237	262.41(a)					
EPA ID number	II	262.41(a)(1)					
calendar year covered	II	262.41(a)(2)					
off-site TSD facility information	II, 31	262.41(a)(3)					
transporter information	II, 31	262.41(a)(4)					
hazardous waste information and how it must be reported	II, 31	262.41(a)(5)					
describe efforts to reduce volume and toxicity	17 D	262.41(a)(6)					
a description of changes in volume and toxicity	17 D	262.41(a)(7)					
<b>71 Certification</b>	II, 17 D	262.41(a)(8)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>72 large quantity generator for at least one month of an odd-numbered reporting year who treats, stores, or disposes of waste on-site must complete and submit Form 8700-13 A/B by March 1 of the following even-numbered year; what report must cover; requires applies to generators that receive waste from very small quantity generators pursuant to 262.17(f)</b>	II, 1, 31, 223, 237	262.41(b)					
<b>72 exports of hazardous waste to foreign countries are not required to be reported on the Biennial Report form; separate annual report requirement is set forth at 262.83(g)</b>	31, 237	262.41(c)					
<b>EXCEPTION REPORTING</b>							
generators of <b>1,000 kg or greater in a calendar month</b> ; requirements if manifest copy not received within 35 days	II, 42, †223	262.42(a)(1)					
<b>generators of 1,000 kg or greater in a calendar month</b> ; if manifest copy not received within 45 days, must submit exception report; what the report must include	II, 42, †223	262.42(a)(2)					
	II, 42	262.42(a)(2)(i)&(ii)					
generators of 100 to 1000 kg/month; requirements if manifest copy not received within 60 days	42	262.42(b)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>requirements for rejected shipments of hazardous waste or container residues contained in non-empty containers that are forwarded to an alternate facility by a designated facility using a new manifest (following the procedures of 264.72(e)(1) through (6) or 265.72(e)(1) through (6))</b>	223	262.42(c)					
<b>copy of the manifest received by the generator must have the handwritten signature of the owner or operator of the alternate facility in place of the signature of the owner or operator of the designated facility,</b>	223	262.42(c)(1)					
<b>the 35/45/60-day timeframes begin the date the waste was accepted by the initial transporter forwarding the hazardous waste shipment from the designated facility to the alternate facility.</b>	223	262.42(c)(2)					
<b>submission to EPA need only be a handwritten or typed note on the manifest itself, or on an attached sheet of paper, stating that the return copy was not received.</b>	223	262.42(c) Note					
<b>ADDITIONAL REPORTING</b>							
<b>additional reports may be required under 2002(a) and 3002(a)(6) of RCRA regarding quantity and disposition of wastes identified or listed in part 261</b>	II, 237	262.43					
<b>73 RECORDKEEPING FOR SMALL QUANTITY GENERATORS</b>							
<b>independent requirements a small quantity generator is subject to</b>	23, 42, 237	262.44					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>section 262.40(a), (c), and (d), recordkeeping</b>	23, 42	262.44(a)					
<b>section 262.42(b), exception reporting</b>	23, 42	262.44(b)					
<b>section 262.43, additional reporting</b>	23, 42	262.44(c)					
<b>74</b>	<b>SUBPART E – [RESERVED]</b>						
<b>[Removed and reserved]</b>	<b>31, 97, †152, 207, 214, 222, 236</b>	<b>262.50 through 262.58</b>					
	<b>SUBPART F – [RESERVED]</b>						
<b>75</b>	<b>[Removed and reserved]</b>	<b>31, 207, †223, 236</b>	<b>262.60</b>				
	<b>SUBPART G - FARMERS</b>						
<b>76</b>	<b>FARMERS</b>						
	provisions for variance	II, 31, †39, 214	262.70				
<b>77</b>	<b>SUBPART H – TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTE FOR RECOVERY OR DISPOSAL</b>						
	<b>† APPLICABILITY</b>						
<b>78</b>	requirements of part 262 subpart H apply to <b>transboundary movements of hazardous wastes</b>	<b>31, 152, 222, 236</b>	262.80(a)				
	persons who mix two or more wastes or subjects two or more wastes to physical or chemical transformation operations, and thereby creates a new hazardous waste, become generators and assume generator duties under RCRA and any <b>exporter</b> duties under part 262 subpart H, if applicable	<b>152 222, 236</b>	262.80(b)				
<b>†, 74, 79</b>	<b>DEFINITIONS</b>						
	<b>In addition to the definitions in 260.10, definitions applicable to part 262 subpart H</b>	<b>152, 236</b>	262.81				
<b>80</b>	<b>“competent authority”</b>	<b>152, 222, 236</b>	262.81				
<b>80</b>	<b>“countries concerned”</b>	<b>152, 222, 236</b>	262.81				

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	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			BROADER IN SCOPE
					EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
80	“country of export”	152, 222, 236	262.81					
80	“country of import”	31, 152, 222, 236	262.81					
	“country of transit”	31, 152, 222, 236	262.81					
	“disposal operations”	236	262.81 262.81(1) – (17)					
	“EPA Acknowledgment of Consent (AOC)”	31, 236	262.81					
	“export”	236	262.81					
80	“exporter”	31, 152, 222, 236	262.81					
	“foreign exporter”	236	262.81					
	“foreign importer”	236	262.81					
	“foreign receiving facility”	236	262.81					
	“import”	236	262.81					
80	“importer”	31, 152, 222, 236	262.81					
	“OECD area”	152, 222, 236	262.81					
81	“OECD”	222	262.81					
	“OECD Member country”	222, 236	262.81					
	“receiving facility”	222, 236	262.81					
	“recognized trader”	152, 222	262.81					
	“recovery facility”	152, 222	262.81					
	“recovery operations”	152, 214, 222, 236	262.81 262.81(1) – (16)					
80	“transboundary movement”	152, 222	262.81					
†	GENERAL CONDITIONS							
	level of import and export waste control is indicated by green, amber, or red lists and <b>whether the waste is or is not hazardous waste</b> ; OECD green, amber, and red lists are incorporated by reference in <b>260.11</b>	152, 222, 236	262.82(a)					
82	green list wastes	152, 222, 236	262.82(a)(1)					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>green wastes that are not hazardous wastes are subject to existing controls normally applied to commercial transactions, and are not subject to the requirements of subpart H</b>	222, 236	262.82(a)(1)(i)					
<b>green wastes that are hazardous wastes are subject to the requirements of subpart H</b>	222, 236	262.82(a)(1)(ii)					
<b>83 amber list wastes</b>	152, 222, 236	262.82(a)(2)					
<b>amber wastes that are hazardous wastes are subject to the subpart H, even if they are imported to or exported from a country that does not consider the waste to be hazardous or control the transboundary shipment as a hazardous waste import or export</b>	222, 236	262.82(a)(2)(i)					
<b>for exports, the exporter must comply with 262.83</b>	222, 236	262.82(a)(2)(i)(A)					
<b>for imports, the recovery or disposal facility and the importer must comply with 262.84</b>	222, 236	262.82(a)(2)(i)(B)					
<b>amber wastes that are not hazardous wastes, but are considered hazardous by the other country are subject to the Amber control procedures in the country that considers the waste hazardous; all responsibilities shift to the foreign importer or foreign exporter in the other country unless the parties make other arrangements through contracts</b>	222, 236	262.82(a)(2)(ii)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>84 Mixtures of wastes</b>							
<b>green waste that is mixed with one or more other green wastes such that the resulting mixture is not hazardous waste is not subject to subpart H</b>	152, 222, 236	262.82(a)(3)(i)					
<b>green waste that is mixed with one or more Amber wastes, in any amount, de minimis or otherwise, or a mixture of two or more Amber wastes, such that the resulting waste mixture is hazardous waste is subject to the requirements of subpart H</b>	152, 222, 236	262.82(a)(3)(ii)					
wastes not yet assigned to an OECD waste list are eligible for transboundary movements, as follows:	152, 222, 236	262.82(a)(4)					
<b>if such wastes are hazardous wastes, such wastes are subject to subpart H</b>	152, 222, 236	262.82(a)(4)(i)					
<b>if such wastes are not hazardous wastes, such wastes are not subject to subpart H</b>	152	262.82(a)(4)(ii)					
general conditions applicable to transboundary movements of hazardous waste	152, 222, 236	262.82(b)					
waste must be destined for recovery operations at a facility that, under domestic law, is operating or is authorized to operate in the country of import	152, 222, 236	262.82(b)(1)					
transboundary movement must comply with international transport agreements, and	152, 222, 236	262.82(b)(2)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>any transit of hazardous waste through one or more countries</b> must comply with applicable international and national laws and regulations	152, 222, 236	262.82(b)(3)					
<b>85 duty to return wastes subject to the amber control procedures during transit through the United States</b>	152, 222, 236	262.82(c)					
<b>85 laboratory analysis exemption</b>	222, 236	262.82(d)					
<b>85, 86 EPA addresses for submittals by postal mail or hand delivery</b>	236	262.82(e)					
	236,	262.82(e)(1)					
	8/6/18 FR	262.82(e)(2)					
<b>74 EXPORTS OF HAZARDOUS WASTE</b>							
<b>87 General export requirements</b>							
except as provided in 262.83(a)(5) and (6), exporters that have received an AOC from EPA before December 31, 2016 are subject to that approval and the requirements listed in the AOC until such time the approval period expires; all other exports of hazardous waste are prohibited unless:							
the exporter complies with the contract requirements in 262.83(f)	236	262.83(a)					
the exporter complies with the notification requirements in 262.83(b)	236	262.83(a)(1)					
the exporter receives an AOC from EPA documenting consent from the countries of import and transit (and original country of export if exporting previously imported hazardous waste)	236	262.83(a)(2)					
		262.83(a)(3)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the exporter ensures compliance with the movement documents requirements in 262.83(d)	236	262.83(a)(4)					
the exporter ensures compliance with the manifest instructions for export shipments in 262.83(c)	236	262.83(a)(5)					
the exporter or a U.S. authorized agent:	236	262.83(a)(6)					
shipments initiated prior to the AES filing compliance date does one of the following:	236	262.83(a)(6)(i)					
submits Electronic Export Information (EEI) for each shipment to the Automated Export System (AES) or its successor system	236	262.83(a)(6)(i)(A)					
		262.83(a)(6)(i)(A)(1)					
		262.83(a)(6)(i)(A)(2)					
		262.83(a)(6)(i)(A)(3)					
		262.83(a)(6)(i)(A)(4)					
		262.83(a)(6)(i)(A)(5)					
		262.83(a)(6)(i)(A)(6)					
		262.83(a)(6)(i)(A)(7)					
complies with a paper-based process	236	262.83(a)(6)(i)(B)					
		262.83(a)(6)(i)(B)(1)					
		262.83(a)(6)(i)(B)(2)					
shipments initiated on or after the AES filing compliance date	236	262.83(a)(6)(ii)					
		262.83(a)(6)(ii)(A)					
		262.83(a)(6)(ii)(B)					
		262.83(a)(6)(ii)(C)					
		262.83(a)(6)(ii)(D)					
		262.83(a)(6)(ii)(E)					
		262.83(a)(6)(ii)(F)					
		262.83(a)(6)(ii)(G)					
262.83(a)(6)(ii)(H)							
<b>88</b> <i>Notifications</i>							
general notifications	236	262.83(b)(1)					
		262.83(b)(1)(i)					
		262.83(b)(1)(ii)					
		262.83(b)(1)(iii)					
		262.83(b)(1)(iv)					
		262.83(b)(1)(v)					
		262.83(b)(1)(vi)					
		262.83(b)(1)(vii)					
262.83(b)(1)(viii)							

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		<b>262.83(b)(1)(ix)</b>					
		<b>262.83(b)(1)(x)</b>					
		<b>262.83(b)(1)(xi)</b>					
		<b>262.83(b)(1)(xii)</b>					
		<b>262.83(b)(1)(xiii)</b>					
<b>exports to pre-consented recovery facilities in OECD Member countries</b>	<b>236</b>	<b>262.83(b)(2)</b>					
<b>notifications listing interim recycling or interim disposal operations</b>	<b>236</b>	<b>262.83(b)(3)</b>					
<b>renotifications requirements</b>	<b>236</b>	<b>262.83(b)(4)</b>					
<b>cases where the proposed country of import and recovery or disposal operations are not covered under an international agreement to which both the United States and the country of import are parties; procedures</b>	<b>236, 238</b>	<b>262.83(b)(5)</b>					
<b>EPA notification to exporter where the countries of import/transit consent to, objects to, or withdraws a prior consent</b>	<b>236</b>	<b>262.83(b)(6)</b>					
<b>export of hazardous wastes for recycling or disposal operations that were originally imported into the United States for recycling or disposal operations in a third country is prohibited unless exporter complies with specific requirements</b>	<b>236</b>	<b>262.83(b)(7)</b>					
<b>upon request by EPA, the exporter must furnish to EPA any additional information which the country of import requests in order to respond to a notification</b>	<b>236</b>	<b>262.83(b)(8)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>89 RCRA manifest instructions for export shipments</b>							
exporter must comply with the manifest requirements of 262.20 through 262.23 except that:	152, 222, 236	262.83(c)					
in lieu of the name, site address and EPA ID number of the designated permitted facility, exporter must enter the name and site address of the foreign receiving facility	152, 222, 236	262.83(c)(1)					
in the International Shipments block, exporter must check the export box and enter the U.S. port of exit (city and State) from the United States	152, 222, 236	262.83(c)(2)					
exporter must list the consent number from the AOC for each hazardous waste listed on the manifest, matched to the relevant list number for the hazardous waste from block 9b; if additional space is needed, exporter should use (EPA Form 8700-22A)	152, 222, 236	262.83(c)(3)					
exporter may obtain the manifest from any source that is registered with the U.S. EPA as a supplier of manifests	152, 222, 236	262.83(c)(4)					
<b>90 Movement document requirements for export shipments</b>							
<b>91</b> exporters must ensure that a movement document meeting the conditions of 262.83(d)(2) accompanies hazardous wastes from the initiation of the shipment until it reaches the foreign receiving facility, except as provided in 262.83(d)(1)(i) and (ii); shipment by water (bulk shipment only); rail shipments	152, 222, 236	262.83(d)(1)					
		262.83(d)(1)(i)					
		262.83(d)(1)(ii)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>92</b>  <b>movement document must include information in 262.83(d)(2)(i) through (xv)</b>	<b>152, 222, 236</b>	<b>262.83(d)(2)</b>					
	<b>236</b>	<b>262.83(d)(2)(i)</b>					
		<b>262.83(d)(2)(ii)</b>					
		<b>262.83(d)(2)(iii)</b>					
		<b>262.83(d)(2)(iv)</b>					
		<b>262.83(d)(2)(v)</b>					
		<b>262.83(d)(2)(vi)</b>					
	<b>152, 222, 236</b>	<b>262.83(d)(2)(vii)</b>					
		<b>262.83(d)(2)(viii)</b>					
		<b>262.83(d)(2)(ix)</b>					
		<b>262.83(d)(2)(x)</b>					
		<b>262.83(d)(2)(xi)</b>					
		<b>262.83(d)(2)(xii)</b>					
	<b>152, 222, 236</b>	<b>262.83(d)(2)(xiii)</b>					
		<b>262.83(d)(2)(xiv)</b>					
<b>152, 214, 222, 236</b>		<b>262.83(d)(2)(xv)</b>					
<b>duty to return or re-export hazardous wastes</b>	<b>236</b>	<b>262.83(e)</b>					
<b>93</b> <i>Export contract requirements</i>							
<b>exports of hazardous waste are prohibited unless they occur under the terms of a valid written contract, chain of contracts, or equivalent arrangements (when the movement occurs between parties controlled by the same corporate or legal entity)</b>	<b>152, 222, 236</b>	<b>262.83(f)(1)</b>					
<b>must specify the name and EPA ID number, where available, of entities named in 262.83(f)(2)(i) through (iv)</b>	<b>152, 222, 236</b>	<b>262.83(f)(2)</b>					
		<b>262.83(f)(2)(i)</b>					
		<b>262.83(f)(2)(ii)</b>					
		<b>262.83(f)(2)(iii)</b>					
<b>must specify which party to the contract will assume responsibility for alternate management of the hazardous wastes if their disposition cannot be carried out as described in the notification of intent to export, as specified in 262.83(f)(3)(i) and (ii)</b>	<b>152, 222, 236</b>	<b>262.83(f)(3)</b>					
		<b>262.83(f)(3)(i)</b>					
		<b>262.83(f)(3)(ii)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>must specify foreign receiving facility send a copy of the signed movement document to confirm receipt within three working days of shipment delivery to exporter and competent authorities of the countries of import and transit; conditions under which copy must be sent to EPA</b>	152, 222, 236	262.83(f)(4)					
<b>must specify foreign receiving facility shall send copy of signed and dated confirmation of recovery or disposal, as soon as possible, but no later than thirty days after completing recovery or disposal on the waste in the shipment and no later than one calendar year following receipt of the waste, to the exporter and to the competent authority of the country of import; conditions under which copy must be sent to EPA</b>	152, 222, 236	262.83(f)(5)					
<b>contract information requirements for foreign importer or the foreign receiving facility that performed interim recycling operations R12, R13, or RC16, or interim disposal operations D13 through D15 or DC17</b>	152, 222, 236	262.83(f)(6)					
		262.83(f)(6)(i)					
		262.83(f)(6)(ii)					
<b>must include provisions for financial guarantees, if required by the competent authorities of the country of import and any countries of transit</b>	152, 222, 236	262.83(f)(7)					



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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>must contain provisions requiring each contracting party to comply with all applicable requirements of subpart H</b>	<b>152, 222, 236</b>	<b>262.83(f)(8)</b>					
<b>upon request by EPA, U.S. exporters, importers, or recovery facilities must submit to EPA copies of contracts, chain of contracts, or equivalent arrangements (when the movement occurs between parties controlled by the same corporate or legal entity)</b>	<b>152, 222, 236, 238</b>	<b>262.83(f)(9)</b>					
<b>94 Annual reports</b>							
<b>filing of an annual report with EPA no later than March 1 of each year; general reporting requirements</b>	<b>31, 152, 214, 222, 236</b>	<b>262.83(g)</b>					
<b>EPA identification number, name, and mailing and site address of the exporter filing the report</b>	<b>31, 152, 222, 236</b>	<b>262.83(g)(1)</b>					
<b>calendar year covered by report</b>	<b>31, 152, 222, 236</b>	<b>262.83(g)(2)</b>					
<b>name and site address of each foreign receiving facility</b>	<b>31, 152, 222, 236</b>	<b>262.83(g)(3)</b>					
<b>foreign receiving facility information</b>	<b>31, 152, 222, 236</b>	<b>262.83(g)(4)</b>					
		<b>262.83(g)(4)(i)</b>					
		<b>262.83(g)(4)(ii)</b>					
		<b>262.83(g)(4)(iii)</b>					
		<b>262.83(g)(4)(iv)</b>					
		<b>262.83(g)(4)(v)</b>					
<b>262.83(g)(4)(vi)</b>							
<b>even numbered year information; except for waste produced by small quantity generators and waste for which information was provided under 262.41</b>	<b>31, 152, 214, 222, 236</b>	<b>262.83(g)(5)</b>					
<b>description of efforts to reduce volume and toxicity</b>	<b>31, 152, 222, 236</b>	<b>262.83(g)(5)(i)</b>					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>description of changes in volume and toxicity</b>	<b>31, 152, 222, 236</b>	<b>262.83(g)(5)(ii)</b>					
<b>certification</b>	<b>31, 152, 222, 236</b>	<b>262.83(g)(6)</b>					

**95 Exception reports**

<b>exporter must file exception report in lieu of 262.42 requirements with EPA if any of the following occurs:</b>	<b>31, 152, 222, 236</b>	<b>262.83(h)(1)</b>					
<b>requirement if manifest copy not received within 45 days from the date it was accepted by the initial transporter</b>	<b>31, 152, 222, 236</b>	<b>262.83(h)(1)(i)</b>					
<b>requirement if written confirmation of receipt not received from foreign facility within 90 days from the date waste was accepted by initial transporter</b>	<b>31, 152, 222, 236</b>	<b>262.83(h)(1)(ii)</b>					
<b>requirement if foreign receiving facility notifies the exporter, or the country of import notifies EPA, of the need to return the shipment to the U.S. or arrange alternate management</b>	<b>31, 152, 222, 236</b>	<b>262.83(h)(1)(iii)</b>					
<b>prior to the electronic import-export reporting compliance date, exception reports must be mailed or hand delivered to EPA using the addresses listed in 262.82(e); subsequently, exception reports must be submitted to EPA using the allowable methods listed in 262.83(b)(1)</b>	<b>236</b>	<b>262.83(h)(2)</b>					

**96 Recordkeeping**

<b>exporter shall keep the records in 262.83(i)(1)(i) through (v) and provide them to EPA or authorized state personnel upon request</b>	<b>31,152, 222, 236</b>	<b>262.83(i)(1)</b>					
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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>notification of intent to export and each EPA AOC for a period of at least 3 years</b>	<b>31, 152, 222, 236</b>	<b>262.83(i)(1)(i)</b>					
<b>annual report for a period of at least 3 years</b>	<b>31, 152, 222, 236</b>	<b>262.83(i)(1)(ii)</b>					
<b>exception reports and a copy of each confirmation of receipt sent by the foreign receiving facility to the exporter for at least 3 years</b>	<b>31, 152, 222, 236</b>	<b>262.83(i)(1)(iii)</b>					
<b>confirmation of recovery or disposal sent by the foreign receiving facility to the exporter for at least 3 years</b>	<b>222, 236</b>	<b>262.83(i)(1)(iv)</b>					
<b>†††, 97 contract or equivalent arrangement for at least 3 years</b>	<b>236</b>	<b>262.83(i)(1)(v)</b>					
<b>exporters may satisfy these recordkeeping requirements by retaining electronically submitted documents in the exporter's account on EPA's Waste Import Export Tracking System (WIETS), or its successor system</b>	<b>236</b>	<b>262.83(i)(2)</b>					
<b>periods of retention in 262.83 are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Administrator</b>	<b>31, 152, 222, 236</b>	<b>262.83(i)(3)</b>					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>98 IMPORTS OF HAZARDOUS WASTE</b>							
<i>General import requirements</i>							
with the exception of paragraph 262.84(a)(5), importers of shipments covered under a consent from EPA to the country of export issued before December 31, 2016 must comply with the requirements that existed at the time of that approval until the approval period expires; otherwise, person who imports hazardous waste from a foreign country into the U. S. must comply with part 262 and the special requirements 262.84	31, 236	262.84(a)(1)					
where the country of export does not require foreign exporter to submit a notification and obtain consent to the export prior to shipment, importer must submit a notification to EPA in accordance with 262.84(b)	236	262.84(a)(2)					
importer must comply with the contract requirements 262.84(f)	236	262.84(a)(3)					
importer must ensure compliance with the movement documents requirements in 262.84(d)	236	262.84(a)(4)					
importer must ensure compliance with the manifest instructions for import shipments in 262.84(c)	236	262.84(a)(5)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>88 Notifications</b>							
<b>requirements in cases where the competent authority of the country of export does not regulate the waste as hazardous waste</b>	236	262.84(b)					
<b>notification information requirements in English to EPA of proposed transboundary movement of hazardous waste</b>	236	262.84(b)(1)					
		262.84(b)(1)(i)					
		262.84(b)(1)(ii)					
		262.84(b)(1)(iii)					
		262.84(b)(1)(iv)					
		262.84(b)(1)(v)					
		262.84(b)(1)(vi)					
		262.84(b)(1)(vii)					
		262.84(b)(1)(viii)					
		262.84(b)(1)(ix)					
		262.84(b)(1)(x)					
		262.84(b)(1)(xi)					
		262.84(b)(1)(xii)					
262.84(b)(1)(xiii)							
<b>Notifications listing interim recycling operations or interim disposal operations</b>	236	262.84(b)(2)					
<b>renotifications requirements</b>	236	262.84(b)(3)					
<b>notification is complete when EPA determines the notification satisfies the requirements of 262.84(b)(1)(i) through (xiii)</b>	236, 238	262.84(b)(4)					
<b>EPA notification to importer where the countries of import/transit consent to, objects to, or withdraws a prior consent</b>	236	262.84(b)(5)					
<b>Export of hazardous wastes originally imported into the United States for recycling or disposal operations is prohibited unless exporter complies with 262.83(b)(7)</b>	236	262.84(b)(6)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>89 RCRA manifest instructions for import shipments</b>							
<b>importer must comply with the manifest requirements of 262.20 except that:</b>	<b>31, 152, 222, 236</b>	<b>262.84(c)(1)</b>					
<b>in place of the generator's name, address and EPA identification number, the name and address of the foreign generator and the importer's name, address and EPA identification number must be used</b>	<b>31, 152, 222, 236</b>	<b>262.84(c)(1)(i)</b>					
<b>in place of the generator's signature on the certification statement, the importer or his agent must sign and date the certification and obtain the signature of the initial transporter</b>	<b>31, 152, 222, 236</b>	<b>262.84(c)(1)(ii)</b>					
<b>importer may obtain the manifest from any source that is registered with the U.S. EPA as a supplier of manifests</b>	<b>31, 152, 222, 236</b>	<b>262.84(c)(2)</b>					
<b>in the International Shipments block, the importer must check the import box and enter the point of entry into the United States</b>	<b>152, 222, 236</b>	<b>262.84(c)(3)</b>					
<b>importer must provide transporter with an additional copy of the manifest to be submitted by the receiving facility to EPA in accordance with 264.71(a)(3) and 265.71(a)(3)</b>	<b>152, 222, 236</b>	<b>262.84(c)(4)</b>					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>in lieu of the requirements of 262.20(d), where a shipment cannot be delivered for any reason to the receiving facility, the importer must instruct the transporter in writing via fax, email or mail; specific requirements</b>	152, 222, 236	262.84(c)(5)					
		262.84(c)(5)(i)					
		262.84(c)(5)(ii)					
<i>Movement document requirements for import shipments</i>							
<b>91 importer must ensure that movement document meeting the conditions of 262.83(d)(2) accompanies hazardous wastes from the initiation of the shipment in the country of export until it reaches the receiving facility, except as provided in 262.84(d)(1)(i) and (ii); shipment by water (bulk shipment only); rail shipments</b>	152, 222, 236	262.84(d)(1)					
		262.84(d)(1)(i)					
		262.84(d)(1)(ii)					
<b>92 movement document must include information in 262.84(d)(2)(i) through (xv)</b>	152, 222, 236	262.84(d)(2)					
	236	262.84(d)(2)(i)					
		262.84(d)(2)(ii)					
		262.84(d)(2)(iii)					
		262.84(d)(2)(iv)					
		262.84(d)(2)(v)					
		262.84(d)(2)(vi)					
	152, 222, 236	262.84(d)(2)(vii)					
		262.84(d)(2)(viii)					
		262.84(d)(2)(ix)					
		262.84(d)(2)(x)					
		262.84(d)(2)(xi)					
		262.84(d)(2)(xii)					
		262.84(d)(2)(xiii)					
	152, 214, 222, 236	262.84(d)(2)(xiv)					
152, 214, 222, 236	262.84(d)(2)(xv)						
<b>duty to return or export hazardous wastes</b>	236	262.84(e)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b><i>Import contract requirements</i></b>							
<b>imports of hazardous waste must occur under the terms of a valid written contract, chain of contracts, or equivalent arrangements (when the movement occurs between parties controlled by the same corporate or legal entity)</b>	152, 222, 236	262.84(f)(1)					
<b>must specify the name and EPA ID number, where available, of entities named in 262.84(f)(2)(i) through (iv)</b>	152, 222, 236	262.84(f)(2)					
		262.84(f)(2)(i)					
		262.84(f)(2)(ii)					
		262.84(f)(2)(iii)					
<b>262.84(f)(2)(iv)</b>							
<b>must specify the use of a movement document in accordance with 262.84(d)</b>	236	262.84(f)(3)					
<b>must specify which party to the contract will assume responsibility for alternate management of the hazardous wastes if their disposition cannot be carried out as described in the notification of intent to export, as specified</b>	152, 222, 236	262.84(f)(4)					
		262.84(f)(4)(i)					
		262.84(f)(4)(ii)					
<b>contract information requirements for importer or the receiving facility that performed interim recycling operations R12, R13, or RC16, or interim disposal operations D13 through D15 or DC15 through DC17</b>	152, 222, 236	262.84(f)(5)					
<b>must include provisions for financial guarantees, if required by the competent authorities of the country of import and any countries of transit</b>	152, 222, 236	262.84(f)(6)					
<b>must contain provisions requiring each contracting party to comply with all applicable requirements of subpart H</b>	152, 222, 236	262.84(f)(7)					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>upon request by EPA, U.S. exporters, importers, or recovery facilities must submit to EPA copies of contracts, chain of contracts, or equivalent arrangements (when the movement occurs between parties controlled by the same corporate or legal entity)</b>	152, 222, 236, 238	262.84(f)(8)					
<i>Confirmation of recovery or disposal</i>							
<b>receiving facility must do the following:</b>	236	262.84(g)					
<b>send copies of signed and dated confirmation of recovery or disposal, as soon as possible, but no later than thirty days after completing recovery or disposal on the waste in the shipment and no later than one calendar year following receipt of the waste, to the foreign exporter and to the competent authority of the country of export; conditions under which copy must be sent to EPA</b>	236	262.84(g)(1)					
<b>requirements if receiving facility performed any of recycling operations R12, R13, or RC16, or disposal operations D13 through D15 or DC17</b>	236	262.84(g)(2)					
<i>Recordkeeping</i>							
<b>importer shall keep the following records and provide them to EPA or authorized state personnel upon request</b>	236	262.84(h)(1)					
<b>notification the importer sends to EPA under 262.84(b)(1) and each EPA AOC it receives for a period of at least 3 years</b>	236	262.84(h)(1)(i)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>contract or equivalent arrangement established per 262.84(f) for at least 3 years</b>	236	262.84(h)(1)(ii)					
<b>receiving facility shall keep the following records:</b>	236	262.84(h)(2)					
<b>copy of each confirmation of receipt the receiving facility sends to the foreign exporter for at least 3 years</b>	236	262.84(h)(2)(i)					
<b>copy of each confirmation of recovery or disposal that the receiving facility sends to the foreign exporter to the exporter for at least 3 years</b>	236	262.84(h)(2)(ii)					
<b>for receiving facility that performed any of recovery operations R12, R13, or RC16, or disposal operations D13 through D15, or DC17, copy of each confirmation of recovery or disposal that the final recovery or disposal facility sent to it for at least 3 years</b>	236	262.84(h)(2)(iii)					
<b>copy of each contract or equivalent arrangement established per 262.84(f) for at least 3 years</b>	236	262.84(h)(2)(iv)					
<b>importers and receiving facilities may satisfy these recordkeeping requirements by retaining electronically submitted documents in the importer's or receiving facility's account on EPA's Waste Import Export Tracking System (WIETS), or its successor system</b>	236	262.84(h)(3)					

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	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			BROADER IN SCOPE
					EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
	<b>periods of retention in 262.84 are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Administrator</b>	236	262.84(h)(4)					
99	[Removed and reserved]	152, 222, 236	262.85					
100	[Removed and reserved]	152, 222, 236	262.86					
101	[Removed and reserved]	152, 214, 222, 236	262.87					
102	[Removed and reserved]	152, 222	262.88					
103	[Removed and reserved]	152, 222, 236	262.89					
104	<b>SUBPARTS I – J [REMOVED AND RESERVED]</b>							
	<b>SUBPART K—ALTERNATIVE REQUIREMENTS FOR HAZARDOUS WASTE DETERMINATION AND ACCUMULATION OF UNWANTED MATERIAL FOR LABORATORIES OWNED BY ELIGIBLE ACADEMIC ENTITIES</b>							
†	<b>DEFINITIONS FOR THIS SUBPART</b>							
	<b>definitions for this subpart. The following definitions apply to this subpart</b>	220	262.200					
	[Removed]	220, ††226, 237	262.200 “central accumulation area”					
	“college/university”	220	262.200					
	“eligible academic entity”	220	262.200					
	“formal written affiliation agreement”	220	262.200					
	“laboratory”	220	262.200					
	“laboratory clean-out”	220	262.200					
	“laboratory worker”	220	262.200					
	“non-profit research institute”	220	262.200					
	“reactive acutely hazardous unwanted material”	220	262.200					
	“trained professional”	220, 237	262.200					
	“unwanted material”	220	262.200					
	“working container”	220	262.200					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
<b>† APPLICABILITY OF THIS SUBPART</b>							
<b>large quantity generators and small quantity generators: alternative requirements to the requirements in 262.11 and 262.15 for hazardous waste determination and accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to subpart K, provided they complete 262.203 notification requirements</b>	220, 237	262.201(a)					
<b>very small quantity generators: alternative requirements to the conditional exemption in 262.14 for the accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to subpart K, provided they complete the 262.203 notification requirements</b>	220, 237	262.201(b)					
<b>† THIS SUBPART IS OPTIONAL</b>							
<b>large quantity generators and small quantity generators: eligible academic entities have the option of complying with this subpart K, as an alternative to complying with the requirements of 262.11 and 262.15</b>	220, 237	262.202(a)					
<b>very small quantity generators: eligible academic entities have the option of complying with subpart K, as an alternative to complying with the conditional exemption of 262.14</b>	220, 237	262.202(b)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>† HOW AN ELIGIBLE ACADEMIC ENTITY INDICATES IT WILL BE SUBJECT TO THE REQUIREMENTS OF THIS SUBPART</b>							
<b>eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using the RCRA Subtitle C Site Identification Form (EPA Form 8700-12); notification for very small quantity generators</b>	220, 237	262.203(a)					
<b>eligible academic entity must, at a minimum, fill out the following fields on the form:</b>	220	262.203(b)					
<b>Reason for Submittal</b>	220	262.203(b)(1)					
<b>Site EPA identification number (except for very small quantity generators)</b>	220, 237	262.203(b)(2)					
<b>Site Name</b>	220	262.203(b)(3)					
<b>Site Location Information</b>	220	262.203(b)(4)					
<b>Site Land Type</b>	220	262.203(b)(5)					
<b>North American Industry Classification System (NAICS) Code(s) for the Site</b>	220	262.203(b)(6)					
<b>Site Mailing Address</b>	220	262.203(b)(7)					
<b>Site Contact Person</b>	220	262.203(b)(8)					
<b>Operator and Legal Owner of The Site</b>	220	262.203(b)(9)					
<b>Type of Regulated Waste Activity</b>	220	262.203(b)(10)					
<b>Certification</b>	220	262.203(b)(11)					
<b>eligible academic entity must keep copy of the notification on file for as long as its laboratories are subject to subpart K</b>	220	262.203(c)					
<b>teaching hospital that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file for as long as its laboratories are subject to subpart K</b>	220	262.203(d)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>non-profit research institute that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file for as long as its laboratories are subject to subpart K</b>	220	262.203(e)					
<b>† HOW AN ELIGIBLE ACADEMIC ENTITY INDICATES IT WILL WITHDRAW FROM THE REQUIREMENTS OF THIS SUBPART</b>							
<b>eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using EPA Form 8700-12, that it is electing to no longer be subject to the subpart K requirements, that it will comply with the requirements of 262.11 and 262.15 for small quantity generators and large quantity generators; special requirements for very small quantity generators</b>	220, 237	262.204(a)					
<b>when submitting the Site Identification Form, the eligible academic entity must, at a minimum, fill out the following fields on the form:</b>	220	262.204(b)					
<b>Reason for Submittal.</b>	220	262.204(b)(1)					
<b>Site EPA Identification Number (except for conditionally exempt small quantity generators)</b>	220	262.204(b)(2)					
<b>Site Name</b>	220	262.204(b)(3)					
<b>Site Location Information</b>	220	262.204(b)(4)					
<b>Site Land Type</b>	220	262.204(b)(5)					
<b>North American Industry Classification System (NAICS) Code(s) for the Site</b>	220	262.204(b)(6)					
<b>Site Mailing Address</b>	220	262.204(b)(7)					
<b>Site Contact Person</b>	220	262.204(b)(8)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>Operator and Legal Owner of the Site</b>	220	262.204(b)(9)					
<b>Type of Regulated Waste Activity</b>	220	262.204(b)(10)					
<b>Certification</b>	220	262.204(b)(11)					
<b>eligible academic entity must keep a copy of the withdrawal notice on file for three years from the date of the notification</b>	220	262.204(c)					
<b>† SUMMARY OF THE REQUIREMENTS OF THIS SUBPART</b>							
<b>eligible academic entity that chooses to be subject to subpart K is not required to have interim status or a RCRA Part B permit for the accumulation of unwanted material and hazardous waste in its laboratories, provided certain requirements are met</b>	220	262.205					
<b>† LABELING AND MANAGEMENT STANDARDS FOR CONTAINERS OF UNWANTED MATERIAL IN THE LABORATORY</b>							
<b>eligible academic entity must manage containers of unwanted material while in the laboratory in accordance with the 262.206 requirements</b>	220	262.206					
<b>labeling of unwanted material</b>	220	262.206(a)					
<b>information that must be affixed or attached to the container:</b>	220	262.206(a)(1)					
<b>the words “unwanted material” or another equally effective term</b>	220	262.206(a)(1)(i)					
<b>sufficient information to alert emergency responders to the contents of the container</b>	220	262.206(a)(1)(ii)					
		262.206(a)(1)(ii)(A)					
		262.206(a)(1)(ii)(B)					
<b>information that may be affixed or attached to the container; must at a minimum be associated with the container</b>	220	262.206(a)(2)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>date the unwanted material first began accumulating in the container</b>	220	262.206(a)(2)(i)					
<b>information sufficient to allow trained professional to properly identify whether unwanted material is a solid and hazardous waste and to assign the proper hazardous waste code(s), pursuant to 262.11</b>	220	262.206(a)(2)(ii)					
		262.206(a)(2)(ii)(A)					
		262.206(a)(2)(ii)(B)					
		262.206(a)(2)(ii)(C)					
<b>management of containers in the Laboratory; must include the following:</b>	220	262.206(b)					
<b>maintained and kept in good condition and damaged containers are replaced, overpacked, or repaired</b>	220	262.206(b)(1)					
<b>compatible with their contents to avoid reactions between the contents and the container; and are made of, or lined with, material that is compatible with the unwanted material</b>	220	262.206(b)(2)					
<b>kept closed at all times, except:</b>	220	262.206(b)(3)					
<b>when adding, removing or consolidating unwanted material</b>	220, †226	262.206(b)(3)(i)					
<b>special provisions for working container</b>	220	262.206(b)(3)(ii)					
<b>when venting of a container is necessary</b>	220, 237	262.206(b)(3)(iii)					
	220	262.206(b)(3)(iii)(A)					
		262.206(b)(3)(iii)(B)					
<b>† TRAINING</b>							
<b>eligible academic entity must provide training to all individuals working in a laboratory at the eligible academic entity, as follows:</b>	220	262.207					



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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>training requirements for laboratory workers and students</b>	220	262.207(a)					
<b>eligible academic entity can provide training for laboratory workers and students in a variety of ways, including, but not limited to:</b>	220	262.207(b) introductory paragraph					
<b>instruction by the professor or laboratory manager before or during an experiment</b>	220	262.207(b)(1)					
<b>formal classroom training</b>	220	262.207(b)(2)					
<b>electronic/written training</b>	220	262.207(b)(3)					
<b>on-the-job training</b>	220	262.207(b)(4)					
<b>written or oral exams</b>	220	262.207(b)(5)					
<b>large quantity generator must maintain documentation for the durations specified in 265.16(e) demonstrating training for all laboratory workers; examples:</b>	220	262.207(c) introductory paragraph					
<b>sign-in/attendance sheet(s) for training session(s)</b>	220	262.207(c)(1)					
<b>syllabus for training session</b>	220	262.207(c)(2)					
<b>certificate of training completion</b>	220	262.207(c)(3)					
<b>test results</b>	220	262.207(c)(4)					
<b>trained professional must:</b>	220	262.207(d)					
<b>accompany the transfer of unwanted material and hazardous waste when the unwanted material and hazardous waste is removed from the laboratory</b>	220	262.207(d)(1)					
<b>make the hazardous waste determination, pursuant to 262.11(a) through (d), for unwanted material</b>	220, 237	262.207(d)(2)					
<b>† REMOVING CONTAINERS OF UNWANTED MATERIAL FROM THE LABORATORY</b>							
<b>requirements for removing containers of unwanted material on a regular interval schedule</b>	220	262.208(a)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>remove all containers of unwanted material from each laboratory on a regular interval, not to exceed 12 months; or</b>	220, 237	262.208(a)(1)					
<b>remove containers of unwanted material from each laboratory within 12 months of each container's accumulation start date.</b>	220, 237	262.208(a)(2)					
<b>must specify in Part I of its Laboratory Management Plan whether it will comply 262.208(a)(1) or (a)(2) for the regular removal of unwanted material from its laboratories</b>	220	262.208(b)					
<b>eligible academic entity must specify in Part II of its Laboratory Management Plan how it will comply with 262.208(a)(1) or (a)(2) and develop a schedule for regular removals of unwanted material from its laboratories</b>	220	262.208(c)					
<b>removing containers of unwanted material when volumes are exceeded</b>	220	262.208(d)					
<b>if laboratory accumulates a total volume of unwanted material in excess of 55 gallons before the regularly scheduled removal, must ensure that all containers of unwanted material:</b>	220	262.208(d)(1)					
<b>are marked on the label that is associated with the container with the date that 55 gallons is exceeded</b>	220	262.208(d)(1)(i)					

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40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
are removed from the laboratory within 10 calendar days of the date that 55 gallons was exceeded, or at the next regularly scheduled removal, whichever comes first	220	262.208(d)(1)(ii)					
if laboratory accumulates more than 1 quart of liquid reactive acutely hazardous unwanted material or more than 1 kg (2.2 pounds) of solid reactive acutely material before the regularly scheduled removal, eligible academic entity must ensure that all containers of reactive acutely hazardous unwanted material:	220, 237	262.208(d)(2)					
are marked on the label that is associated with the container with the date that 1 quart or 1 kg is exceeded	220, 237	262.208(d)(2)(i)					
are removed from the laboratory within 10 calendar days of the date that 1 quart or 1 kg was exceeded, or at the next regularly scheduled removal, whichever comes first	220, 237	262.208(d)(2)(ii)					
<b>† WHERE AND WHEN TO MAKE THE HAZARDOUS WASTE DETERMINATION AND WHERE TO SEND CONTAINERS OF UNWANTED MATERIAL UPON REMOVAL FROM THE LABORATORY</b>							
large quantity generators and small quantity generators: eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to 262.11, for unwanted material in any of the following areas:	220	262.209(a)					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>in the laboratory before the unwanted material is removed from the laboratory, in accordance with 262.210</b>	220	262.209(a)(1)					
<b>within 4 calendar days of arriving at on-site central accumulation area, in accordance with 262.211; and within 4 calendar days of arriving at on-site interim status or permitted facility, in accordance with 262.212</b>	220	262.209(a)(2)					
<b>within 4 calendar days of arriving at on-site interim status or permitted facility, in accordance with 262.212</b>	220	262.209(a)(3)					
<b>very small quantity generators eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to 262.11 (s) through (d), for unwanted material in the laboratory before the unwanted material is removed from the laboratory, in accordance with 262.210</b>	220, 237	262.209(b)					
<b>† MAKING THE HAZARDOUS WASTE DETERMINATION IN THE LABORATORY BEFORE THE UNWANTED MATERIAL IS REMOVED FROM THE LABORATORY</b>							
<b>if eligible academic entity makes the hazardous waste determination, pursuant to 262.11, must comply with the following:</b>	220	262.210					
<b>trained professional must make the hazardous waste determination, pursuant to 262.11(a) through (d), before the unwanted material is removed from the laboratory</b>	220, 237	262.210(a)					

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40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			BROADER IN SCOPE
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
<b>if unwanted material is a hazardous waste, the eligible academic entity must:</b>	<b>220</b>	<b>262.210(b)</b>					
<b>write the words “hazardous waste” on the container label before the hazardous waste may be removed from the laboratory</b>	<b>220</b>	<b>262.210(b)(1)</b>					
<b>write the appropriate hazardous waste codes(s) on the label before the hazardous waste is transported off-site</b>	<b>220</b>	<b>262.210(b)(2)</b>					
<b>count the hazardous waste toward the eligible academic entity's generator status, pursuant to 262.13, in the calendar month that the hazardous waste determination was made</b>	<b>220, 237</b>	<b>262.210(b)(3)</b>					
<b>trained professional must accompany all hazardous waste that is transferred from the laboratory(ies) to an on-site central accumulation area or on-site interim status or permitted facility</b>	<b>220</b>	<b>262.210(c)</b>					
<b>when hazardous waste is removed from the laboratory</b>	<b>220</b>	<b>262.210(d)</b>					
<b>requirements for large quantity generators and small quantity generators</b>	<b>220</b>	<b>262.210(d)(1)</b>					
<b>requirements for very small quantity generators must ensure it is taken directly from the laboratory(ies) to any of the types of facilities listed in 262.14</b>	<b>220, 237</b>	<b>262.210(d)(2)</b>					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>unwanted material that is a hazardous waste is subject to all applicable hazardous waste regulations when it is removed from the laboratory</b>	220	262.210(e)					
<b>† MAKING THE HAZARDOUS WASTE DETERMINATION AT AN ON-SITE CENTRAL ACCUMULATION AREA</b>							
<b>if eligible academic entity makes the hazardous waste determination, pursuant to 262.11, must comply with the following:</b>	220	262.211					
<b>trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site central accumulation area</b>	220	262.211(a)					
<b>unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site central accumulation area</b>	220	262.211(b)					
<b>unwanted material becomes subject to the generator accumulation regulations of 262.16 for small quantity generators or 262.17 for large quantity generators as soon as it arrives in the central accumulation area, except for the “hazardous waste” labeling requirements of 262.16(b)(6) and 262.17(a)(5)</b>	220, 237	262.211(c)					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>trained professional must determine, pursuant to 262.11(a) through (d), if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at the on-site central accumulation area.</b>	<b>220, 237</b>	<b>262.211(d)</b>					
<b>if unwanted material is a hazardous waste, the eligible academic entity must:</b>	<b>220</b>	<b>262.211(e)</b>					
<b>write the words "hazardous waste" on the container label within 4 calendar days of arriving at the on-site central accumulation area and before the hazardous waste may be removed from the on-site central accumulation area</b>	<b>220</b>	<b>262.211(e)(1)</b>					
<b>write the appropriate hazardous waste code(s) on the container label before the hazardous waste may be treated or disposed of on-site or transported off-site</b>	<b>220</b>	<b>262.211(e)(2)</b>					
<b>count the hazardous waste toward the eligible academic entity's generator status, pursuant to 262.13 in the calendar month that the hazardous waste determination is made</b>	<b>220, 237</b>	<b>262.211(e)(3)</b>					
<b>manage the hazardous waste according to all applicable hazardous waste regulations</b>	<b>220</b>	<b>262.211(e)(4)</b>					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>† MAKING THE HAZARDOUS WASTE DETERMINATION AT AN ON-SITE INTERIM STATUS OR PERMITTED TREATMENT, STORAGE OR DISPOSAL FACILITY</b>							
<b>if eligible academic entity makes the hazardous waste determination, pursuant to 262.11, for unwanted material at an on-site interim status or permitted facility, it must comply with the following:</b>	220	262.212					
<b>trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site interim status or permitted facility</b>	220	262.212(a)					
<b>all unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site interim status or permitted facility</b>	220	262.212(b)					
<b>unwanted material becomes subject to the terms of the eligible academic entity's hazardous waste permit or interim status as soon as it arrives in the on-site facility</b>	220	262.212(c)					
<b>trained professional must determine, pursuant to 262.11(a) through (d), if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at an on-site interim status or permitted facility</b>	220, 237	262.212(d)					
<b>if unwanted material is a hazardous waste, the eligible academic entity must:</b>	220	262.212(e)					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
write the words “hazardous waste” on the container label within 4 calendar days of arriving at the on-site interim status or permitted facility before the hazardous waste may be removed from the on-site interim status or permitted facility	220, ††226	262.212(e)(1)					
write the appropriate hazardous waste code(s) on the container label before the hazardous waste may be treated or disposed on-site or transported off-site	220	262.212(e)(2)					
†††, 105 count the hazardous waste toward the eligible academic entity's generator status in the calendar month that the hazardous waste determination was made	220	262.212(e)(3)					
manage the hazardous waste according to all applicable hazardous waste regulations	220	262.212(e)(4)					
<b>† LABORATORY CLEAN-OUTS</b>							
one time per 12-month period for each laboratory, a eligible academic entity may opt to conduct a laboratory clean-out that is subject to all the applicable requirements of subpart K, except that:	220	262.213(a)					
requirement if the volume of unwanted material in the laboratory exceeds 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material or 1 kg of solid reactive acutely unwanted material)	220, 237	262.213(a)(1)					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			BROADER IN SCOPE
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
<b>for purposes of on-site accumulation, criteria under which an eligible academic entity is required to count a hazardous waste toward its hazardous waste generator status, pursuant to 262.13)</b>	220, 237	262.213(a)(2)					
<b>for the purposes of off-site management, criteria under which an eligible academic entity must count its hazardous waste; the hazardous waste is subject to all applicable hazardous waste regulations when it is transported off-site</b>	220, 237	262.213(a)(3)					
<b>eligible academic entity must document the activities of the laboratory clean-out; minimum requirements for the documentation; must maintain the records for a period of three years from the date the clean-out ends</b>	220	262.213(a)(4)					
<b>for all other laboratory clean-outs conducted during the same 12-month period, eligible academic entity is subject to all the applicable requirements of subpart K, including, but not limited to:</b>	220	262.213(b)					
<b>requirement to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), as required by 262.208</b>	220	262.213(b)(1)					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>requirement to count all hazardous waste, including unused hazardous waste, generated during the laboratory clean-out toward its hazardous waste generator category, pursuant to 262.13</b>	<b>220, 237</b>	<b>262.213(b)(2)</b>					
<b>† LABORATORY MANAGEMENT PLAN</b>							
<b>eligible academic entity must develop and retain a written Laboratory Management Plan, or revise an existing written plan; requirements for the Plan; must implement and comply with the specific provisions that it develops; must describe its best management practices for each of the elements listed in 262.214(b)</b>	<b>220</b>	<b>262.214</b>					
<b>eligible academic entity must implement and comply with the specific provisions of Part I of its Laboratory Management Plan; Plan must:</b>	<b>220</b>	<b>262.214(a)</b>					
<b>describe procedures for container labeling in accordance with 262.206(a)</b>	<b>220, ††226</b>	<b>262.214(a)(1)</b>					
	<b>220</b>	<b>262.214(a)(1)(i)</b>					
		<b>262.214(a)(1)(ii)</b>					
<b>identify whether the eligible academic entity will comply with 262.208(a)(1) or (a)(2) for regularly scheduled removals of unwanted material from the laboratory</b>	<b>220</b>	<b>262.214(a)(2)</b>					
<b>in Part II of its Laboratory Management Plan, an eligible academic entity must describe:</b>	<b>220</b>	<b>262.214(b)</b>					

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40 CFR Part 262 as of June 30, 2018  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			BROADER IN SCOPE
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
<b>intended best practices for container labeling and management laboratory equipment per the required standards at 262.206</b>	<b>220, ††226</b>	<b>262.214(b)(1)</b>					
<b>intended best practices for providing training for laboratory workers and students commensurate with their duties per the required standards at 262.207(a)</b>	<b>220</b>	<b>262.214(b)(2)</b>					
<b>intended best practices for providing training to ensure safe on-site transfers of unwanted material and hazardous waste by trained professionals per the required standards at 262.207(d)(1)</b>	<b>220</b>	<b>262.214(b)(3)</b>					
<b>intended best practices for removing unwanted material from the laboratory</b>	<b>220</b>	<b>262.214(b)(4)</b>					
<b>for regularly scheduled removals - develop a regular schedule for identifying and removing unwanted materials from its laboratories per the required standards at 262.208(a)(1) and (a)(2)).</b>	<b>220</b>	<b>262.214(b)(4)(i)</b>					
<b>intended best practices for removals when maximum volumes are exceeded</b>	<b>220</b>	<b>262.214(b)(4)(ii)</b>					
		<b>262.214(b)(4)(ii)(A)</b>					
		<b>262.214(b)(4)(ii)(B)</b>					
<b>intended best practices for making hazardous waste determinations, including specifying the duties of the individuals involved in the process per the required standards at 262.11(a) through (d) and 262.209 through 262.212</b>	<b>220, 237</b>	<b>262.214(b)(5)</b>					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>intended best practices for laboratory clean-outs, if the eligible academic entity plans to use the incentives for laboratory clean-outs provided in 262.213, including:</b>	220	262.214(b)(6)					
<b>procedures for conducting laboratory clean-outs per the required standards at 262.213(a)(1) through (3); and</b>							
<b>procedures for documenting laboratory clean-outs per the required standards at 262.213(a)(4))</b>							
<b>intended best practices and procedures for emergency prevention</b>	220	262.214(b)(7)					
		262.214(b)(7)(i)					
		262.214(b)(7)(ii)					
		262.214(b)(7)(iii)					
		262.214(b)(7)(iv)					
<b>eligible academic entity must make its Laboratory Management Plan available to laboratory workers, students, or any others at the eligible academic entity who request it.</b>	220	262.214(c)					
<b>eligible academic entity must review and revise its Laboratory Management Plan, as needed</b>	220	262.214(d)					
<b>† UNWANTED MATERIAL THAT IS NOT SOLID OR HAZARDOUS WASTE</b>							
<b>if an unwanted material does not meet the definition of solid waste in 261.2, it is no longer subject to subpart K or to the RCRA hazardous waste regulations</b>	220	262.215(a)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if an unwanted material does not meet the definition of hazardous waste in 261.3, it is no longer subject to subpart K or to the RCRA hazardous waste regulations, but must be managed in compliance with any other applicable regulations and/or conditions	220	262.215(b)					
<b>† NON-LABORATORY HAZARDOUS WASTE GENERATED AT AN ELIGIBLE ACADEMIC ENTITY</b>							
eligible academic entity that generates hazardous waste outside of a laboratory is not eligible to manage that hazardous waste under subpart K; and	220	262.216					
remains subject to the generator requirements of 262.11 and 262.15 for large quantity generators and small quantity generators (if the hazardous waste is managed in a satellite accumulation area), and all other applicable generator requirements part 262; or	220, 237	262.216(a)					
remains subject to the conditional exemption of § 262.14 for very small quantity generators	220, 237	262.216(b)					
<b>SUBPART L – ALTERNATIVE STANDARDS FOR EPISODIC GENERATION</b>							
<b>APPLICABILITY</b>							
applicable to very small quantity generators and small quantity generators as defined in 260.10	237	262.230					
<b>DEFINITIONS OF THIS SUBPART</b>							
“episodic event”	237	262.231					
“planned episodic event”	237	262.231					
106 “unplanned episodic event”	237	262.231					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>CONDITIONS FOR A GENERATOR MANAGING HAZRDOUS WASTE FROM AN EPISODIC EVENT</b>							
<i>Very small quantity generators</i>							
may maintain its existing generator category during an episodic event provided that the generator complies with the following conditions:	237	262.232(a)					
limited to one episodic event per calendar year, unless a petition is granted under 262.233;	237	262.232(a)(1)					
notification	237	262.232(a)(2)					
EPA ID number	237	262.232(a)(3)					
accumulation	237	262.232(a)(4)					
container marking and labeling requirements	237	262.232(a)(4)(i)					
		262.232(a)(4)(i)(A)					
		262.232(a)(4)(i)(B)					
		262.232(a)(4)(i)(C)					
tank marking and labeling requirements	237	262.232(a)(4)(ii)					
		262.232(a)(4)(ii)(A)					
		262.232(a)(4)(ii)(B)					
use inventory logs, monitoring equipment or other records to identify the date upon which each episodic event begins; and	237	262.232(a)(4)(ii)(C)					
keep inventory logs or records on site and readily available for inspection	237	262.232(a)(4)(ii)(D)					
hazardous waste must be managed in a manner that minimizes the possibility of a fire, explosion, or release of hazardous waste or hazardous waste constituents to the air, soil, or water;	237	262.232(a)(4)(iii)					
container condition and management	237	262.232(a)(4)(iii)(A)					
tank condition and management	237	262.232(a)(4)(iii)(B)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
comply with the hazardous waste manifest provisions of subpart B of part 262 when it sends its episodic event hazardous waste off site to a designated facility	237	262.232(a)(5)					
has up to sixty (60) calendar days from the start of the episodic event to manifest and send its hazardous waste generated from the episodic event to a designated facility	237	262.232(a)(6)					
recordkeeping requirements; must maintain the following records for three (3) years from the end date of the episodic event	237	262.232(a)(7)					
		262.232(a)(7)(i)					
		262.232(a)(7)(ii)					
		262.232(a)(7)(iii)					
		262.232(a)(7)(iv)					
		262.232(a)(7)(v)					
<i>Small quantity generators</i>							
may maintain its existing generator category during an episodic event provided that the generator complies with the following conditions:	237	262.232(b)					
limited to one episodic event per calendar year, unless a petition is granted under 262.233;							
notification	237	262.232(b)(1)					
EPA ID number	237	262.232(b)(2)					
accumulation	237	262.232(b)(3)					
container marking and labeling requirements	237	262.232(b)(4)(i)					
		262.232(b)(4)(i)(A)					
		262.232(b)(4)(i)(B)					
		262.232(b)(4)(i)(C)					
tank marking and labeling requirements	237	262.232(b)(4)(ii)					
		262.232(b)(4)(ii)(A)					
		262.232(b)(4)(ii)(B)					
use inventory logs, monitoring equipment or other records to identify the date upon which each episodic event begins and ends; and	237	262.232(b)(4)(ii)(C)					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
keep inventory logs or records on site and available for inspection	237	262.232(b)(4)(ii)(D)					
must treat hazardous waste generated from an episodic event on site or manifest and ship such hazardous waste off site to a designated facility within sixty (60) calendar days from the start of the episodic event	237	262.232(b)(5)					
recordkeeping requirements; must maintain the following records for three (3) years from the end date of the episodic event	237	262.232(b)(6)					
		262.232(b)(6)(i)					
		262.232(b)(6)(ii)					
		262.232(b)(6)(iii)					
		262.232(b)(6)(iv)					
		262.232(b)(6)(v)					
<b>PETITION TO MANAGE ONE ADDITIONAL EPISODIC EVENT PER CALENDAR YEAR.</b>							
generator may petition the Regional Administrator for a second episodic event in a calendar year without impacting its generator category under the following conditions:	237	262.233(a)					
procedure if very small quantity generator or small quantity generator has already held a planned episodic event in a calendar year	237	262.233(a)(1)					
procedure if very small quantity generator or small quantity generator has already held an unplanned episodic event in a calendar year	237	262.233(a)(2)					
what the petition must include	237	262.233(b)					
		262.233(b)(1)					
		262.233(b)(2)					
		262.233(b)(3)					
		262.233(b)(4)					
		262.233(b)(5)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>petition must be made to the Regional Administrator in writing, either on paper or electronically.</b>	237	262.233(c)					
<b>generator must retain written approval in its records for three (3) years from the date the episodic event ended.</b>	237	262.233(d)					
<b>SUBPART M – PREPAREDNESS, PREVENTION, AND EMERGENCY PROCEDURES FOR LARGE QUANTITY GENERATORS</b>							
<b>APPLICABILITY.</b>							
<b>regulations apply to those areas of a large quantity generator where hazardous waste is generated or accumulated on site.</b>	237	262.250					
<b>MAINTENANCE AND OPERATION OF FACILITY.</b>							
<b>generator must maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of waste or waste constituents to air, soil, or surface water which could threaten human health or the environment</b>	237	262.251					
<b>REQUIRED EQUIPMENT.</b>							
<b>areas deemed applicable by 262.250 must be equipped with the items in 262.252(a) through (d); exceptions; generator may determine the most appropriate locations within its facility to locate equipment necessary to prepare for and respond to emergencies:</b>	237	262.252					
<b>internal communications or alarm system capable of providing immediate emergency instruction to facility personnel;</b>	237	262.252(a)					

CONSOLIDATED CHECKLIST C3  
40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
device, such as a telephone or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams	237	262.252(b)					
portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment	237	262.252(c)					
water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.	237	262.252(d)					
<b>TESTING AND MAINTENANCE OF EQUIPMENT.</b>							
all communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency	237	262.253					
<b>ACCESS TO COMMUNICATIONS OR ALARM SYSTEM.</b>							
whenever hazardous waste is being handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, <i>unless</i> such a device is not required under 262.252	237	262.254(a)					

CONSOLIDATED CHECKLIST C3  
40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>in the event there is just one employee on the premises while the facility is operating, employee must have immediate access to a device capable of summoning external emergency assistance, <i>unless</i> such a device is not required under 262.252</b>	237	262.254(b)					
<b>REQUIRED AISLE SPACE.</b>							
<b>must maintain aisle space to allow the unobstructed movement in an emergency, unless aisle space is not needed</b>	237	262.255					
<b>ARRANGEMENTS WITH LOCAL AUTHORITIES.</b>							
<b>must attempt to make arrangements with local authorities, contractors, suppliers, and local hospitals; take into account the types and quantities of hazardous wastes handled; arrangements may be made with the Local Emergency Planning Committee</b>	237	262.256(a)					
<b>must determine the potential need for the services of the local police department, other emergency response teams, emergency response contractors, equipment suppliers and local hospitals</b>	237	262.256(a)(1)					
<b>familiarize organizations with conditions at the facility, and possible evacuation routes as well as the types of injuries or illnesses which could result from fires, explosions, or releases at the facility</b>	237	262.256(a)(2)					

CONSOLIDATED CHECKLIST C3  
40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
where more than one police or fire department might respond to an emergency; designate primary emergency authority and arrangements with others to provide support to the primary emergency authority	237	262.256(a)(3)					
recordkeeping and documentation requirements	237	262.256(b)					
facility possessing 24-hour response capabilities may seek a waiver from the authority having jurisdiction (AHJ) over the fire code within the facility's state or locality, provided that the waiver is documented in the operating record	237	262.256(c)					
<b>PURPOSE AND IMPLEMENTATION OF CONTINGENCY PLAN.</b>							
must have contingency plan; design of plan	237	262.260(a)					
provisions of the plan must be carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents	237	262.260(b)					
<b>CONTENT OF CONTINGENCY PLAN.</b>							
must describe the actions facility personnel must take to comply with 262.260 and 262.265	237	262.261(a)					
requirements for amendment of plan if generator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with part 112 or some other emergency or contingency plan	237	262.261(b)					

CONSOLIDATED CHECKLIST C3  
40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>must describe arrangements agreed to with local authorities</b>	237	262.261(c)					
<b>plan must list names and emergency telephone numbers of all persons qualified to act as emergency coordinator</b>	237	262.261(d)					
<b>must include up to date list of all emergency equipment at the facility; include location and physical description of each item and a brief outline of its capabilities</b>	237	262.261(e)					
<b>must include evacuation plan for generator personnel where there is a possibility that evacuation could be necessary</b>	237	262.261(f)					
<b>COPIES OF CONTINGENCY PLAN.</b>							
<b>copy of the contingency plan and all revisions to the plan must be maintained at the large quantity generator and</b>	237	262.262					
<b>must submit a copy of contingency plan and all revisions to all local emergency responders; document may also be submitted to the Local Emergency Planning Committee, as appropriate</b>	237	262.262(a)					
<b>quick reference guide requirements for generator that first becomes subject to 262.262 provisions after May 30, 2017 or generator that is otherwise amending its contingency plan; what quick reference guide must include</b>	237	262.262(b)					
		262.262(b)(1)					
		262.262(b)(2)					
		262.262(b)(3)					
		262.262(b)(4)					
		262.262(b)(5)					
		262.262(b)(6)					
		262.262(b)(7)					
<b>requirements for update of quick reference guides</b>	237	262.262(c)					

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40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>AMENDMENT OF CONTINGENCY PLAN</b>							
<b>contingency plan must be reviewed, and immediately amended, if necessary, whenever:</b>	<b>237</b>	<b>262.263</b>					
<b>applicable regulations are revised;</b>	<b>237</b>	<b>262.263(a)</b>					
<b>plan fails in an emergency;</b>	<b>237</b>	<b>262.263(b)</b>					
<b>generator facility changes—in its design, construction, operation, maintenance, or other circumstances</b>	<b>237</b>	<b>262.263(c)</b>					
<b>list of emergency coordinators changes; or</b>	<b>237</b>	<b>262.263(d)</b>					
<b>list of emergency equipment changes.</b>	<b>237</b>	<b>262.263(e)</b>					
<b>EMERGENCY COORDINATOR</b>							
<b>at all times, there must be at least one employee either on the generator’s premises or on call with the responsibility for coordinating all emergency response measures and implementing the necessary emergency procedures outlined in 262.265; person must have the authority to commit the resources needed to carry out the contingency plan</b>	<b>237</b>	<b>262.264</b>					
<b>EMERGENCY PROCEDURES</b>							
<b>whenever there is an imminent or actual emergency situation, the emergency coordinator or designee must immediately:</b>	<b>237</b>	<b>262.265(a)</b>					
<b>activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and</b>	<b>237</b>	<b>262.265(a)(1)</b>					

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40 CFR Part 262 as of June 30, 2018  
(Amended by the August 6, 2018 Final Rule (83 FR 38262)) (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>notify appropriate state or local agencies with designated response roles if their help is needed</b>	237	262.265(a)(2)					
<b>whenever there is a release, fire, or explosion, the emergency coordinator must immediately identify the character, exact source, amount, and areal extent of any released materials; emergency coordinator may do this by observation, review of the facility records, manifests and, if necessary, by chemical analysis</b>	237	262.265(b)					
<b>concurrently, the emergency coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion; assessment considerations</b>	237	262.265(c)					
<b>if the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health, or the environment, the emergency coordinator must report the findings as follows:</b>	237	262.265(d)					
<b>if the assessment indicates that evacuation of local areas may be advisable, the emergency coordinator must immediately notify and help emergency responders</b>	237	262.265(d)(1)					



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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>the emergency coordinator must immediately notify either the government official designated as the on-scene coordinator for that geographical area, or the national response center (using their 24-hour toll free number 800/424-8802); what the report must include</b>	237	262.265(d)(2)					
		262.265(d)(2)(i)					
		262.265(d)(2)(ii)					
		262.265(d)(2)(iii)					
		262.265(d)(2)(iv)					
		262.265(d)(2)(v)					
		262.265(d)(2)(vi)					
<b>procedures for emergency coordinator during an emergency</b>	237	262.265(e)					
<b>monitoring procedures for emergency coordinator if the generator stops operations in response to a fire, explosion or release</b>	237	262.265(f)					
<b>immediately after an emergency, the emergency coordinator must provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility; if recovered material is not a hazardous waste, the waste must be managed in accordance with all the applicable requirements and conditions for exemption in parts 262, 263, and 265</b>	237	262.265(g)					
<b>emergency coordinator must ensure that, in the affected area(s) of the facility:</b>	237	262.265(h)					
<b>no hazardous waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed</b>	237	262.265(h)(1)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed</b>	<b>237</b>	<b>262.265(h)(2)</b>					
<b>generator must note in the operating record the time, date, and details of any incident that requires implementing the contingency plan; within 15 days after the incident, the generator must submit a written report on the incident to the Regional Administrator; what the report must include</b>	<b>237</b>	<b>262.265(i)</b>					
		<b>262.265(i)(1)</b>					
		<b>262.265(i)(2)</b>					
		<b>262.265(i)(3)</b>					
		<b>262.265(i)(4)</b>					
		<b>262.265(i)(5)</b>					
		<b>262.265(i)(6)</b>					
<b>[Removed]</b>	Base, 5, 17 D, 31, 32, 58, <b>207, 236, 239</b>	<b>Appendix to part 262</b>					

- 1 The rule addressed by Revision Checklists 142 A-E (60 FR 25492; May 11, 1995) introduced a new 262.10(b) and redesignated the former 262.10(b)-(f) as 262.10(c)-(g). Then the rule addressed by Revision Checklist 152 (61 FR 16290; April 12, 1996) introduced a new 262.10(d) and redesignated the former 262.10(d)-(g) as 262.10(e)-(h).
- 2 **The Revision Checklist 237 final rule revised the existing 262.10(g) by breaking the provision into 262.10(g)(1) and 262.10(g)(2) in order to make the legal framework of RCRA 3008 more clear to the regulated community.**
- 3 **262.10(j) was originally added by the September 28, 1999 final rule (64 FR 52380-52396), a Project XL rulemaking for University Laboratories at the University of Massachusetts Boston, Boston, MA, the Boston College, Chestnut Hill, MA, and the University of Vermont, Burlington, VT. Only Massachusetts and Vermont could adopt this provision. The final rule addressed by Revision Checklist 237 (81 FR 85732; 11/28/16) removed the Project XL requirements from the federal regulations.**
- 4 **262.10(k) was added by the final rule published on March 12, 2004 (69 FR 11813) which authorized Massachusetts regulations which track EPA site-specific Project XL regulations for laboratories at certain universities in Massachusetts. Only Massachusetts may adopt this provision. Other States should exclude the provision from their adoption of the federal regulations. Note that the federal regulations incorrectly reference 262.34 which was removed by the Revision Checklist 237 final rule. Substitute references to “§ 262.34” with “§§ 262.15, 262.16 and 262.17”.**
- 5 **The Revision Checklist 237 final rule revised the heading for 262.11 by adding “AND RECORDKEEPING”. The rule also completely revised the 262.11 provisions and incorporated language previously located in the 262.40(c) recordkeeping requirements into the revised 262.11 requirements.**

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- 6 The Revision Checklist 237 final rule redesignated and revised the existing 262.11(a) as 262.11(b).
- 7 The Revision Checklist 237 final rule redesignated and completely revised the existing 262.11(b) as 262.11(c).
- 8 The Revision Checklist 237 final rule redesignated and completely revised the existing 262.11(c) as 262.11(d); 262.11(c)(1) as 262.11(d)(2) – (d)(2)(ii); and 262.11(c)(2) as 262.11(d)(1).
- 9 The final rule addressed by Revision Checklist 237 simply redesignated the existing 262.10(d) as 262.10(e) without making any changes to the provision.
- 10 The recordkeeping requirements for hazardous waste determination were originally introduced into the federal regulations as part of Base Program Revision II at 262.40(c). The Revision Checklist 237 final rule incorporated language previously located in 262.40(c) into a new 262.11(f).
- 11 The provisions from 262.12 were moved to 262.18 by the final rule addressed by Revision Checklist 237 and the 262.12 citation reserved. 262.12 addressed “EPA Identification Numbers” and was added to the federal regulations by the Base Program Checklist II under 262.12(a) – (c). The final rule addressed by Revision Checklist 236 later added 262.12(d) addressing recognized traders. Revision Checklist 237 changed the title; moved 262.12(a) – (c) to 262.18(a) – (c) and 262.12(d) to 262.18(e); and added a new provision at 262.18(d).
- 12 262.13(c) – (c)(7) in the Revision Checklist 237 final rule are based on language previously located in 261.5(c) – (c)(7).
- 13 262.13(d) – (d)(3) in the Revision Checklist 237 final rule are based on language previously located in 261.5(d) – (d)(3).
- 14 262.13(f)(1)(i) – (f)(1)(iii) in the Revision Checklist 237 final rule are based on language previously located in 261.5(h), (i) and (j), respectively.
- 15 The introductory paragraph of 262.14(a) in the Revision Checklist 237 final rule is based on language previously located in 261.5(b), 251.5(f)(2) and 261.5(g)(2).
- 16 262.14(a)(1) in the Revision Checklist 237 final rule is based on language previously located in 261.5(f) intro. and 261.5(g) intro.
- 17 262.14(a)(2) in the Revision Checklist 237 final rule is based on language previously located in 261.5(f)(1) and 261.5(g)(1).
- 18 262.14(a)(3) introductory paragraph in the Revision Checklist 237 final rule is based on language previously located in 261.5(f)(2).
- 19 262.14(a)(4) introductory paragraph in the Revision Checklist 237 final rule is based on language previously located in 261.5(g)(2).
- 20 262.14(a)(5) – (a)(5)(vii) in the Revision Checklist 237 final rule are based on language previously located in 261.5(f)(3) – (f)(3)(vii) and 261.5(g)(3) – (g)(3)(vii).
- 21 262.15(a) in the Revision Checklist 237 final rule is based on language previously located in the introductory paragraph of 262.34(c)(1).
- 22 The 262.15(a)(1), (a)(2) and (a)(4) provisions in the Revision Checklist 237 final rule are based on language previously located in 262.34(c)(1)(i). Note that unlike 262.34(c)(1)(i) which referenced 265.171, 265.172 and

- 265.173(a), Revision Checklist 237 incorporated the language from the part 265 container requirements into the 262.15 provisions.**
- 23 262.15(a)(5) in the Revision Checklist 237 final rule is based on language previously located in 262.34(c)(1)(ii).**
- 24 262.15(a)(6) in the Revision Checklist 237 final rule is based on language previously located in 262.34(c)(2).**
- 25 The 262.16 Revision Checklist 237 provisions are based on language previously located in 262.34(d) – (f) which were originally introduced into the federal regulations by the final rule addressed by Revision Checklist 23, except for 262.34(d)(3) which was added to the federal regulations by the Revision Checklist 28 final rule.**
- 26 262.16(a) and (b) provisions in the Revision Checklist 237 final rule are based on language previously located in 262.34(d) introductory paragraph.**
- 27 262.16(b)(1) – (b)(3) in the Revision Checklist 237 final rule are based on language previously located in 262.34(d)(1) – (d)(3). Note that unlike 262.34(d)(2) which referenced provisions from 265 subpart I, and 262.34(d)(3) which referenced 265.201, the Revision Checklist 237 final rule incorporated the language from these references into the 262.16 provisions.**
- 28 262.16(b)(4) – (b)(8) in the Revision Checklist 237 final rule are based on language previously located in 262.34(d)(4). Note that unlike 262.34(d)(4) which referenced provisions from previous 262.34(a)(2)&(3), 265 subpart C, and 268 requirements, the Revision Checklist 237 final rule incorporated the language from these references into the 262.16 provisions.**
- 29 The Revision Checklist 237 label requirements at 262.16(b)(6)(i) & (i)(A) and 262.16(b)(6)(ii) & (ii)(A) are based on language previously located in 262.34(d)(4) which references 262.34(a)(3).**
- 30 The Revision Checklist 237 label requirements at 262.16(b)(6)(i)(C) is based on language previously located in 262.34(d)(4) which references 262.34(a)(2).**
- 31 262.16(b)(7) requirement addressing compliance with part 268 in the Revision Checklist 237 final rule is based on language previously located in 262.34(d)(4) which also required compliance with part 268.**
- 32 The Revision Checklist 237 preparedness and prevention requirements at 262.16(b)(8) is based on language previously located in 262.34(d)(4) which references subpart C of part 265.**
- 33 262.16(b)(9) – (b)(9)(iv)(C)(1) – (5) in the Revision Checklist 237 final rule are based on language previously located in 262.34(d)(5) – (d)(5)(C)(1) – (5).**
- 34 The section 262.17 provisions in the Revision Checklist 237 final rule are based on language previously located in 262.34(a) intro – (a)(5), 262.34(b), 262.34(g) through (i) and 262.34(m).**
- 35 262.17 introductory paragraph and 262.17(a) introductory paragraph in the Revision Checklist 237 final rule are based on language previously located in 262.34(a) intro through 262.34(a)(1) introductory paragraph.**
- 36 The Revision Checklist 237 container requirements at 262.17(a)(1) and subparagraphs are based on language previously located in 262.34(a)(1)(i). The Revision Checklist 237 final rule incorporated the language from part 265, subpart I in lieu of referencing the subpart.**
- 37 The Revision Checklist 237 tank requirement at 262.17(a)(2) is based on language previously located in**

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- 262.34(a)(1)(ii).
- 38 The Revision Checklist 237 drip pad requirements at 262.17(a)(3) intro through 262.17(a)(3)(iii)(B) are based on language previously located in 262.34(a)(1)(iii) intro through (a)(1)(iii)(B).
- 39 The Revision Checklist 237 containment building requirements at 262.17(a)(4) intro through 262.17(a)(4)(ii)(B) are based on language previously located in 262.34(a)(1)(iv) intro through (a)(1)(iv)(B).
- 40 The Revision Checklist 237 label requirements at 262.17(a)(5)(i) & (i)(A) and 262.17(a)(5)(ii) & (ii)(A) are based on language previously located in 262.34(a)(3).
- 41 The Revision Checklist 237 label requirements at 262.17(a)(5)(i)(C) is based on language previously located in 262.34(a)(2).
- 42 262.17(a)(6) requirements addressing emergency procedures in the Revision Checklist 237 final rule are based on language previously located at 262.34(a)(4) which required generators to comply with the requirements of part 265, subparts C and D.
- 43 262.17(a)(7) requirements addressing personnel training in the Revision Checklist 237 final rule are based on language previously located at 262.34(a)(4) which required generators to comply with 265.16.
- 44 262.17(a)(8) requirements addressing closure in the Revision Checklist 237 final rule are based on language previously located at 262.34(a)(5) which required generators to comply with 265.111 and 265.114 requirements. Note that the Revision Checklist 237 final rule incorporated the language from part 265 closure requirements rather than simply referencing the 265 citations from 262.34(a)(5).
- 45 262.17(a)(9) requirement addressing compliance with part 268 in the Revision Checklist 237 final rule is based on language previously located in 262.34(a)(4) which also required compliance with part 268.
- 46 262.17(b) in the Revision Checklist 237 final rule is based on language previously located at 262.34(b).
- 47 262.17(c) through (c)(4)(v) in the Revision Checklist 237 final rule are based on language previously located at 262.34(g) through (g)(4)(v).
- 48 262.17(d) and (e) in the Revision Checklist 237 final rule are based language previously located at 262.34(h) and (i), respectively.
- 49 262.17(g) in the Revision Checklist 237 final rule is based on language preciously located at 262.34(m).
- 50 The Revision Checklist 237 final rule changed the title of Subpart B from “The Manifest” to “Manifest Requirements Applicable to Small and Large Quantity Generators”.
- 51 262.20(a) was originally added by Base Program Checklist II and subsequently amended by the final rule addressed by Revision Checklist 5. The final rule addressed by Revision Checklist 207 redesignated the existing 262.20(a) as 262.20(a)(1) and added a new 262.20(a)(2).
- 52 At 262.20(a)(2), the federal regulations have references to 40 CFR 262.34, 262.54 and 262.60. However, the final rule addressed by Revision Checklist 237 removed and reserved 262.34 and incorporated the 262.34 provisions into 262.16 and 262.17. Similarly, the finally rule addressed by Revision Checklist 236 removed and reserved 262 subparts E and F and incorporated the associated provisions into 262.83 and 262.84. Thus, the following substitutions should be made to the internal references: (1) substitute references to “§ 262.34” with “§§ 262.16 or 262.17”; and (2) substitute references to 40 CFR 262.54 and 262.60 with 40 CFR 262.83(c)

– (e) and 40 CFR 262.84, respectively.

- 53 At 262.20(a)(3)(ii), states must retain the reference to 40 CFR § 3.10.
- 54 262.21 appeared in Base Program Checklist II under the title “Acquisition of Manifests” and was completely reorganized and reworded by Revision Checklist 5. Subsequently the Uniform Hazardous Waste Manifest final rule addressed by Revision Checklist 207 replaced the Revision Checklist 5 manifest requirements with completely new manifest requirements under the title “Manifest Tracking Numbers, Manifest Printing, and Obtaining Manifests”.
- 55 On January 18, 2009, EPA reorganized the Office of Solid Waste (OSW) and changed its name to the Office of Resource Conservation and Recovery (ORCR). The following provisions were amended by the June 25, 2009 Federal Register notice (74 FR 30228; No Checklist) to conform to the name change: 262.21(a)(1), (b) introductory text, (b)(8) and (h).
- 56 EPA published a Direct Final rule on June 22, 2011 (76 FR 36263; No Checklist) that amended 262.21(f)(4) to indicate that red ink, as well as other distinct colors, or other methods to distinguish the copy distribution notations from the rest of the printed form and data entries are permissible.
- 57 The Revision Checklist 239 final rule amended the subparagraphs of 262.21(f)(6) by: (1) adding a new 262.21(f)(6)(i), requiring page 1 be sent to the eManifest system; (2) removing the existing 262.21(f)(6)(i) and (ii) which addressed the requirements that would send copies to the destination state and generator state, respectively; (3) redesignating paragraphs 262.21(f)(6)(iii) – (vi) as (f)(6)(ii) – (v), respectively and revising the page numbers to reflect the existence of one less manifest copy to be distributed.
- 58 At 262.21(f)(6)(i), states should retain the term “EPA” in reference to the EPA e-Manifest system.
- 59 States are required to adopt the revisions to the manifest regulations, including 262.23(f), in accordance with the consistency requirements of 271.4(c).
- 60 At 262.24(a)(1), states must ensure that in the state’s adoption of 262.25, the term “EPA” is retained. Otherwise, states must retain the citation reference to 40 CFR 262.25(a), and cannot insert a citation to a state provision.
- 61 In 262.24(a)(2), (a)(4), (b) the reference to “system” or “electronic manifest system” means EPA national electronic manifest system. See the definition in 40 CFR 260.10.
- 62 At 262.24(a)(3), states should retain the term “EPA” and may change “state” to the name of the state.
- 63 At 262.24(d), states must retain the citation reference to 49 CFR § 177.817.
- 64 262.24(g), which addressed the imposition of user fee, was initially added by Revision Checklist 231. The final rule addressed by Revision Checklist 239 removed the provision and reserved the citation.
- 65 States cannot receive authorization for 262.25, but should adopt it while retaining the term “EPA.”
- 66 The Revision Checklist 237 final rule changed the title of Subtitle C from “Pre-Transport Requirements” to “Pre-Transport Requirements Applicable to Small and Large Quantity Generators”.
- 67 262.32(b) was initially added to the federal regulations by the Base Program Checklist II. Revision Checklist 207 amended the first paragraph of the provision by changing the 110-gallon limit to 119 gallons. The final rule also amended the 49 CFR 172.304 marking requirement in the second paragraph to add the generator’s

- EPA ID number and changed “Manifest Document Number” to read “Manifest Tracking Number”. The final rule addressed by Revision Checklist 237 revised 262.32(b) by numbering the 49 CFR 172.304 marking requirements as 262.32(b)(1) – (b)(4) and added a new 262.32(b)(5) addressing the EPA Hazardous Waste Number(s).
- 68 262.34 “Accumulation time” was initially added to the federal regulations by Base Program Checklist II and amended by several subsequent final rules. The Revision Checklist 237 final rule completely revised the 262.34 provisions and incorporated them into new sections 262.15, 262.16 and 262.17.
- 69 The Revision Checklist 237 final rule changed the title of Subtitle D from “Recordkeeping and Reporting” to “Recordkeeping and Reporting Applicable to Small and Large Quantity Generators”.
- 70 The Revision Checklist 237 final rule changed the title of section 262.41 from “Biennial report” to “Biennial report for large quantity generators”.
- 71 262.41(a)(8) appeared in the original program addressed by Base Program Checklist II as 262.41(a)(6).
- 72 The Revision Checklist 237 final rule relocated the last sentence of the existing 262.41(b) addressing export of hazardous waste to a new paragraph 262.41(c). The export requirement was initially added to the federal regulations by the Revision Checklist 31 final rule.
- 73 The Revision Checklist 237 final rule changed the title of section 262.44 “Special requirements for generators of between 100 and 1000 kg/month” to “Recordkeeping for small quantity generators”.
- 74 The federal regulations addressing the export of hazardous waste appeared in the original program addressed by Base Program Checklist II (amended by Revision Checklists 5 and 17 R) as Subpart E “Special Conditions”. However, Revision Checklist 31 (51 FR 28664, August 8, 1986) completely changed this subpart, renaming it “Exports of Hazardous Waste”. The Revision Checklist 236 final rule (81 FR 85696, November 28, 2016) removed the export requirements from subpart E and reserved the subpart. The provisions were completely revised by the Revision Checklist 236 final rule and incorporated into subpart H of part 262. Specifically, 262.50 (applicability) was incorporated into 262.80(a); the 262.51 definitions were incorporated into the definitions at 262.81; and the remaining provisions into the export requirements of 262.83.
- 75 The federal regulations addressing the import of hazardous waste were added by Revision Checklist 31 (51 FR 28664, August 8, 1986) as “Imports of Hazardous Waste”. The Revision Checklist 236 final rule (81 FR 85696, November 28, 2016) removed the import requirements from subpart F and reserved the subpart. The provisions were completely revised by the Revision Checklist 236 final rule and incorporated into subpart H of part 262. Specifically, the provisions of 262.60 were incorporated into 262.84.
- 76 262.70 was originally at 262.51 in the base program. Revision Checklist 31 moved it to 262.70. Note that 262.51 was incorrectly changed to “Farmers” at 52 FR 25760 (July 8, 1987); however, this error was caught when Revision Checklist 39 for this rule was developed and it was not incorporated into this checklist. This section was subsequently moved back to its correct place at 262.70 and the appropriate 262.51 put back into the CFR by the final rule (53 FR 27164, July 19, 1988) addressed by Revision Checklist 48.
- 77 Subpart H of part 262 was originally added to the federal regulations by the Revision Checklist 152 final rule under the title “Transfrontier Shipments of Hazardous Waste For Recovery Within The OECD”. The subpart was subsequently amended by the final rules addressed by Revision Checklists 214 and 222, which replaced the word “Transfrontier” in the title with “Transboundary”. On November 28, 2016, the Revision Checklist 236 final rule changed the title to “Transboundary Shipments of Hazardous Waste For Recovery

- or Disposal”, removed and reserved subparts E and F of part 262 and incorporated the provisions from the previous subparts E and F into subpart H, sections 262.83 and 263.84, respectively.
- 78 The final rule addressed by Revision Checklist 222 (75 FR 1236; January 8, 2010) split the original 262.80(a) added by Revision Checklist 152 into 262.80(a) introductory paragraph, (a)(1) and (a)(2). Subsequently, the Revision Checklist 236 final rule revised the paragraph, incorporating language previously located in 262.50, and removed subparagraphs (a)(1) and (a)(2). In addition, language previously located in section 262.58 (International Agreements, added by Revision Checklist 31 and amended by Revision Checklists 152 and 222), is implied by the Revision Checklist 236 provision at 262.80(a) which subjects transboundary movement of hazardous waste to part 262, subpart H.
- 79 The final rule addressed by Revision Checklist 152 initially added definitions at 262.81(a) through 262.81(l). Revision Checklist 222 amended the definitions and removed the subparagraph designations for the definitions. Finally, Revision Checklist 236 revised the definitions and incorporated into 262.81 the definitions that were previously located in 262.51.
- 80 The Revision Checklist 222 final rule (75 FR 1262; January 8, 2010) renamed the 262.81 terms “competent authorities”, “concerned countries”, “consignee”, “exporting country”, “importing country”, “notifier” and “transfrontier movement”, introduced by the Revision Checklist 152 final rule, as “competent authority”, “countries concerned”, “importer”, “country of export”, “country of import”, “exporter” and “transboundary movement”, respectively.
- 81 262.81 definition for “OECD” was printed in the Revision Checklist final rule; however, there were no changes to the provision.
- 82 262.82(a)(1), and its subparagraphs (a)(1)(i) – (a)(1)(iii), addressing green wastes, were initially added to the federal regulations by the Revision Checklist 152 final rule (April 12, 1996; 61 FR 16290), followed by a correction to 262.82(a)(1)(ii) by the Revision Checklist 214 final rule. However, the Revision Checklist 222 final rule (January 8, 2010; 75 FR 1236) replaced the existing green list waste requirements at 262.82(a)(1) intro – (a)(1)(iii) with new provisions at 262.82(a)(1) – (a)(1)(ii). The Checklist 222 provisions were subsequently revised by the final rule addressed by Revision Checklist 236.
- 83 262.82(a)(2), and its subparagraphs (a)(2)(i) and (a)(2)(ii), addressing amber wastes, were initially added to the federal regulations by the Revision Checklist 152 final rule (April 12, 1996; 61 FR 16290). However, the Revision Checklist 222 final rule (January 8, 2010; 75 FR 1236) replaced the existing amber waste requirements at 262.82(a)(2) intro – (a)(2)(ii) with new provisions at 262.82(a)(2)(i) – (a)(2)(iii). The Revision Checklist 236 final rule removed the existing 262.82(a)(2)(i), and redesignated and revised 262.82(a)(2)(ii) and (iii) as 262.82(a)(2)(i) and (ii).
- 84 262.82(a)(3) was initially added to the federal regulations by the Revision Checklist 152 final rule to address wastes on the red list. Revision Checklist 222 removed the provision and introduced a new provision titled “Procedures for mixed wastes”. The Revision Checklist 236 final rule re-titled the provision as “Mixtures of wastes” and revised the requirement.
- 85 The citation 262.82(c) was initially added by the Revision Checklist 152 final rule addressing “Provisions relating to re-export for recovery to a third country”. The provision was amended by the Revision Checklist 222 final rule, which also added the following new provisions: (A) 262.82(d) [Duty to return or re-export wastes subject to the Amber control procedures]; (B) 262.82(e) [Duty to return wastes subject to the Amber control procedures from a country of transit]; (C) 262.82(f) [Requirements for wastes destined for and received by R12 and R13 facilities]; and (D) 262.82(g) [Laboratory analysis exemption]. The Revision Checklist 236 final rule removed the existing 262.82(c), (d) and (f) from the federal regulations, redesignated



- 262.82(e) and (g) as 262.82(c) and (d), respectively, and introduced a new provision at 262.82(e).
- 86 262.82(e) in the Revision Checklist 236 final rule is based on language previously located in 262.56(b) which was initially added by Revision Checklist 31, and amended by Revision Checklists 97 and 152.
- 87 262.83(a), (a)(2) and (a)(3) in the Revision Checklist 236 final rule are based on language previously located in 262.52 introductory paragraph, 262.52(a) and 262.52(b), respectively.
- 88 The final rule addressed by Revision Checklist 152 initially added section 262.83 (Notification and Consent) to the federal regulations. The provisions were subsequently amended by the Revision Checklist 214 and 222 final rules. The Revision Checklist 236 final rule completely revised the existing 262.83 notification requirements, incorporating language previously located in 262.53 (added by the Revision Checklist 31 final rule). The revised notification provisions were added to the restructured part 262, subpart H at 262.83(b) and 262.84(b).
- 89 The final rule addressed by Revision Checklist 152 initially added the manifest requirements at 262.84(c) by requiring the regulated community to comply with 262.54(a), (b), (c), (e) & (i) and 262 subpart F (262.60). The provisions were subsequently amended by the Revision Checklists 214 and 222 final rules. As a result of the restructuring of the federal import and export requirements, the final rule addressed by Revision Checklist 236 completely revised the manifest provisions previously located at 262.84(c), incorporating language previously located in 262.54 and 262.60 (added by the Revision Checklist 31 final rule), and added the RCRA manifest requirements for exports at 262.83(c) and for imports at 262.84(c).
- 90 262.82(d) requirements in the Revision Checklist 237 final rule also incorporate language previously located in 262.52(c) and (d) addressing EPA Acknowledgment of Consent.
- 91 The provisions at 262.83/262.84(d)(1) – (d)(1)(ii) were initially added to the federal regulations by the Revision Checklist 152 final rule as 262.84(a) – (a)(2). The Revision Checklist 152 provisions were amended by Revision Checklist 222 and subsequently introduced to the current location by Revision Checklist 236.
- 92 The provisions at 262.83/262.84(d)(2) introductory paragraph and (d)(2)(vii) – (xv) were initially added to the federal regulations by the Revision Checklist 152 final rule as 262.84(b) – (b)(7), (d) and (e). The Revision Checklist 152 provisions were amended by Revision Checklist 222 and subsequently introduced to the current locations by Revision Checklist 236.
- 93 The provisions at 262.83(f)(1) – (f)(4), 262.83(f)(7) – (f)(9), 262.84(f)(1) – (f)(2), and 262.84(f)(4) – (f)(8) were initially added to the federal regulations by the Revision Checklist 152 final rule as 262.85(a) – (g). The Revision Checklist 152 provisions were amended by Revision Checklist 222 and subsequently introduced to the current locations by Revision Checklist 236.
- 94 The federal annual reports requirements for hazardous waste exports were initially added to the federal regulations by the Revision Checklist 31 final rule at section 262.56. The Revision Checklist 236 provisions at 262.83(g) – (g)(6), also addressing annual reports were initially added to the federal regulations as 262.87(a) – (a)(6) by the Revision Checklist 152 final rule. The Revision Checklist 31 and 152 provisions were amended by Revision Checklists 214 and 222 and subsequently reintroduced to the current locations by Revision Checklist 236.
- 95 The federal exception reports requirements for hazardous waste exports were initially added to the federal regulations by the Revision Checklist 31 final rule at section 262.55. The Revision Checklist 236 provisions at 262.83(h) – (h)(1)(iii), which also addressed exception reports, were also initially added to the federal regulations as 262.87(b) – (b)(3) by the Revision Checklist 152 final rule. The Revision Checklist 31 and 152

provisions were amended by Revision Checklist 222 and subsequently reintroduced to the current locations by the Revision Checklist 236 final rule.

- 96 The federal recordkeeping requirements for hazardous waste exports were initially added to the federal regulations by the Revision Checklist 31 final rule at section 262.57. The Revision Checklist 236 provisions at 262.83(i) – (i)(1)(iii) and (i)(3), also addressing recordkeeping, were initially added to the federal regulations as 262.87(c) – (c)(1)(iii) and (c)(2) by the Revision Checklist 152 final rule. The Revision Checklist 152 provisions were amended by Revision Checklist 222, which also added 262.87(c)(1)(iv) [currently 262.83(i)(1)(iv)]. The Revision Checklist 31, 152 and 222 provisions were reintroduced to the current locations by Revision Checklist 236.
- 97 At 262.83(i)(1)(v), the federal regulations incorrectly reference 262.85. However, the final rule addressed by Revision Checklist 236 removed and reserved 262.85 and incorporated the 262.85 provisions into 262.83(f). States should substitute 262.85 with 262.83(f) in this paragraph.
- 98 262.84(a)(1) and 262.84(c) through (c)(2) in the Revision Checklist 236 final rule are based on language previously located in 262.60 through 262.60(c) introduced by the Revision Checklist 31 final rule.
- 99 262.85 (Contracts) was introduced into the federal regulations the Revision Checklist 152 final rule and subsequently amended by the Revision Checklist 222 final rule. The final rule addressed by Revision Checklist 236 removed and reserved 262.85 and reintroduced the provisions at 262.83(f)(1) – (f)(4), 262.83(f)(7) – (f)(9), 262.84(f)(1) – (f)(2), and 262.84(f)(4) – (f)(8).
- 100 262.86 (Provisions Relating to Recognized Traders) was introduced into the federal regulations the Revision Checklist 152 final rule and subsequently amended by the Revision Checklist 222 final rule. The final rule addressed by Revision Checklist 236 removed the provisions and reserved 262.86.
- 101 262.87 (Reporting and Recordkeeping) was introduced into the federal regulations by the Revision Checklist 152 final rule and subsequently amended by the Revision Checklists 214 and 222 final rules. The final rule addressed by Revision Checklist 236 removed and reserved 262.87 and reintroduced the provisions at 262.83(g) – (i).
- 102 262.88 (Pre-Approval for U.S. Recovery Facilities) was introduced into the federal regulations by the Revision Checklist 152 final rule. The Revision Checklist 222 final rule removed and reserved the citation.
- 103 262.89 (OECD Waste Lists) was introduced into the federal regulations the Revision Checklist 152 final rule and subsequently amended by the Revision Checklist 222 final rule. The final rule addressed by Revision Checklist 236 removed the provisions and reserved 262.89.
- 104 Subparts I and J addressed Project XL requirements for New York, and Massachusetts & Vermont, respectively. The Revision Checklist 237 final rule removed the provisions from these subparts and reserved the citations.
- 105 At 262.212(e)(3), the federal regulations incorrectly reference 261.5(c) and (d); 261.5 was removed by the Revision Checklist 237 final rule. Substitute reference to “§ 261.5(c) and (d)” with “§ 262.13(c) and (d)”.
- 106 Note that there is an error on Revision Checklist 237 which indicates this 262.231 definition is for the term “unplanned episodic”, omitting the word “event” from the end of the term (i.e., the term is properly “unplanned episodic event”).