

CONSOLIDATED CHECKLIST C5  
Part 1 of 5 Parts

Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities  
40 CFR Part 264, Subparts A-G, as of June 30, 2018

Note: Consolidated Checklist C5 is divided into five separate documents solely for ease of handling its printed and electronic versions. Consolidated Checklist C5 remains one checklist; states must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and end notes associated with each document have been placed in the document to which they apply.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>SUBPART A - GENERAL</b>							
<b>PURPOSE, SCOPE AND APPLICABILITY</b>							
purpose	*	264.1(a)					
applies to all owners and operators of TSDFs with exceptions	IV A	264.1(b)					
ocean disposal/permit by rule	IV A	264.1(c)					
UIC/permit by rule	IV A	264.1(d)					
POTW/permit by rule	IV A	264.1(e)					
post-authorization rulemaking	IV A	264.1(f)					
		264.1(f)(1)					
		264.1(f)(2)					
		264.1(f)(3)					
exceptions	IV A	264.1(g)					
wastes excluded by <b>262.14</b>	IV A, <b>237</b>	264.1(g)(1)					
1 recyclable materials	IV A, 13, 111, 122, <b>214</b>	264.1(g)(2)					
generator accumulating waste in compliance with <b>262.14, 262.15, 262.16 or 262.17</b>	IV A, <b>237</b>	264.1(g)(3)					
farmers	IV A, 48	264.1(g)(4)					
enclosed treatment facilities as defined in 260.10	IV A	264.1(g)(5)					
elementary neutralization units as defined in 260.10; compliance with 264.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove the characteristic before land disposal	IV A, 124, 137	264.1(g)(6)					
reserved		264.1(g)(7)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
person involved in treatment or containment activities during an immediate response; list of situations	IV A	264.1(g)(8)(i)					
		264.1(g)(8)(i)(A)					
		264.1(g)(8)(i)(B)					
		264.1(g)(8)(i)(C)					
	156	264.1(g)(8)(i)(D)					
	IVA	264.1(g)(8)(ii)					
		264.1(g)(8)(iii)					
156	264.1(g)(8)(iv)						
transfer facilities	IV A	264.1(g)(9)					
addition of absorbent materials	IV A	264.1(g)(10)					
†, 2, 3 universal waste handlers and transporters handling the listed universal wastes are subject to Part 273 rather than Part 264	142 A	264.1(g)(11)					
	142 B	264.1(g)(11)(i)					
	142 C, †181	264.1(g)(11)(ii)					
	142 D, †181, <b>209</b>	264.1(g)(11)(iii)					
	† 181	264.1(g)(11)(iv)					
applies to all facilities that treat, store, or dispose of hazardous waste referred to in 268	34	264.1(h)					
requirements of storage of military munitions are in 266.205; treatment and disposal are subject to all standards in 40 CFR 260 through 270	156	264.1(i)					
† subparts B, C, and D of 264 and 264.101 do not apply to remediation waste management sites; owners/operators of remediation waste management sites must:	175	264.1(j)					
† obtain an EPA identification number;							
† obtain a detailed chemical and physical analysis of the hazardous remediation wastes; minimum requirements of analysis							

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† prevent people who are unaware of danger from entering, and minimize entry of unauthorized people or livestock onto active portion of remediation waste management site; exceptions	175	264.1(j)(3)					
	175	264.1(j)(3)(i)					
	175	264.1(j)(3)(ii)					
† inspect remediation waste management site for problems that may cause or lead to release of hazardous waste; owner/operator must inspect often enough to correct problems before they harm or lead to hazards to human health or environment; where hazard is imminent or already occurred, owner/operator must take immediate remedial action	175	264.1(j)(4)					
† provide personnel with training	175	264.1(j)(5)					
† prevent ignition or reaction of ignitable or reactive waste	175	264.1(j)(6)					
† design, construct, operate, and maintain unit within 100-year floodplain to prevent washout of hazardous waste	175	264.1(j)(7)					
† not place any non-containerized or bulk liquid hazardous waste in any salt dome formation, salt bed formation, underground mine or cave;	175	264.1(j)(8)					
† develop and maintain construction quality assurance program	175	264.1(j)(9)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
† develop and maintain procedures to prevent accidents and contingency and emergency plans to control accidents; required procedures	175	264.1(j)(10)					
† designate at least one employee to coordinate all emergency response measures; emergency coordinator requirements	175	264.1(j)(11)					
† develop, maintain and implement plan to meet 264.1(j)(2)-(j)(6) & (j)(9)-(j)(10) requirements	175	264.1(j)(12)					
† maintain records documenting compliance with 264.1(j)(1)-(j)(12)	175	264.1(j)(13)					
reserved		264.2					
<b>RELATIONSHIP TO INTERIM STATUS STANDARDS</b>							
4 compliance with 265 until final permit issued, except as provided under 40 CFR part 264 subpart S	*, †121	264.3					
<b>IMMINENT HAZARD ACTION</b>							
enforcement actions under RCRA 7003	*, <b>214</b>	264.4					
<b>SUBPART B - GENERAL FACILITY STANDARDS</b>							
<b>APPLICABILITY</b>							
subpart applies to hazardous waste facilities except as provided in 264.1	*	264.10(a)					
264.18(b) applies only to facilities regulated under Subparts I-O and X	*, 45	264.10(b)					
<b>IDENTIFICATION NUMBER</b>							
EPA identification number required	IV A	264.11					
<b>REQUIRED NOTICES</b>							
5 hazardous waste <b>subject to part 262, subpart H from foreign source must submit:</b>	IV A, †152, <b>236</b>	<b>264.12(a)</b>					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>imports where competent authority does not require notification from EPA per 262.84(b); notification of proposed transboundary movement to EPA</b>	<b>236</b>	264.12(a)(1)					
† owner/operator of facility receiving hazardous waste subject to <b>262.84(d)(2)(xv) movement</b> document requirements	152, <b>222</b> , <b>236</b>	264.12(a)(2)					
<b>inform EPA of the need to return or arrange alternate management of waste that must be returned or sent to alternate facility per 262.84(f)(4)</b>	<b>236</b>	<b>264.12(a)(3)</b>					
<b>sending copies of signed and dated confirmation of recovery or disposal per 262.84(g)</b>	<b>236</b>	<b>264.12(a)(4)</b>					
		<b>264.12(a)(4)(i)</b>					
		<b>264.12(a)(4)(ii)</b>					
hazardous waste from off-site source	IV A	264.12(b)					
requirements under ownership transfer	IV A	264.12(c)					
<b>GENERAL WASTE ANALYSIS</b>							
6 analysis required prior to handling any hazardous waste or 264.113(d) non-hazardous waste; what information, at a minimum, the waste analysis must contain	IV A, 34, †64, 102	264.13(a)(1)					
data to be included in the analysis	IV A, 78	264.13(a)(2)					
when analysis must be repeated	IV A	264.13(a)(3)					
	IV A, †64	264.13(a)(3)(i)					
	IV A	264.13(a)(3)(ii)					
inspect each shipment	IV A	264.13(a)(4)					
develop and follow written waste analysis plan:	IV A	264.13(b)					
parameters which will be analyzed	IV A, †64	264.13(b)(1)					
test methods	IV A	264.13(b)(2)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sampling method	IV A	264.13(b)(3)					
		264.13(b)(3)(i)					
		264.13(b)(3)(ii)					
frequency of reviewing or repeating analysis	IV A	264.13(b)(4)					
analyses from generators	IV A	264.13(b)(5)					
meeting of additional waste analysis requirements	IV A, 16, 34, 79, 154	264.13(b)(6)					
for surface impoundments exempted from land disposal restrictions under 268.4(a):	34	264.13(b)(7)					
sampling impoundment contents	34	264.13(b)(7)(i)					
analysis procedures	34	264.13(b)(7)(ii)					
annual removal of residues; criteria:	34, 39, 50	264.13(b)(7)(iii)					
do not meet 268, Subpart D, treatment standards	50	264.13(b)(7)(iii)(A)					
where no treatment standards established	50, 214	264.13(b)(7)(iii)(B)					
	50	264.13(b)(7)(iii)(B)(1)					
		264.13(b)(7)(iii)(B)(2)					
for owners and operators seeking an exemption to the air emission standards of subpart CC in accordance with 264.1082	154	264.13(b)(8)					
for direct measurements the procedures and schedules for waste sampling and analysis, and results of the analysis of test data to verify the exemption	154	264.13(b)(8)(i)					
if knowledge of the waste is used for the determination, any information that is used as the basis for knowledge	154	264.13(b)(8)(ii)					
analysis plan for off-site facilities:	IV A	264.13(c)					
procedures for identifying each waste moved at facility	IV A	264.13(c)(1)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sampling method used to obtain a representative sample	IV A	264.13(c)(2)					
procedures owner or operator will use to determine whether biodegradable sorbent has been added to waste in container	118	264.13(c)(3)					
<b>SECURITY</b>							
prevent unknowing entry and minimize unauthorized entry unless can demonstrate 264.14(a)(1) & (2)	IV A	264.14(a)					
		264.14(a)(1)					
		264.14(a)(2)					
if demonstration not successful:	*	264.14(b)					
24-hour surveillance	IV A	264.14(b)(1)					
barrier around active portion and control of entry	IV A	264.14(b)(2)(i)					
		264.14(b)(2)(ii)					
sign	IV A	264.14(c)					
<b>GENERAL INSPECTION REQUIREMENTS</b>							
what must be inspected for	IV A	264.15(a)					
develop and follow written schedule	IV A	264.15(b)(1)					
keep schedule at facility	IV A	264.15(b)(2)					
identify items that are to be looked for	IV A	264.15(b)(3)					
7 frequency of inspection	IV A, 28, 45, 79, 100, 154, 163, <b>213, 237</b>	264.15(b)(4)					
8 <b>[To be removed]</b>	<b>213, 237</b>	<b>264.15(b)(5) intro.</b>					
		<b>264.15(b)(5)(i)</b>					
		<b>264.15(b)(5)(ii)</b>					
		<b>264.15(b)(5)(iii)</b>					
remedy of problems inspection uncovers	IV A	264.15(c)					
recordkeeping	IV A	264.15(d)					
<b>PERSONNEL TRAINING</b>							
personnel complete training to ensure compliance with 264	IV A	264.16(a)(1)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
director of training program	IV A	264.16(a)(2)					
must be designed to respond effectively to emergencies	IV A	264.16(a)(3)					
		264.16(a)(3)(i)					
		264.16(a)(3)(ii)					
		264.16(a)(3)(iii)					
		264.16(a)(3)(iv)					
		264.16(a)(3)(v)					
facility employees receiving OSHA-specific emergency response training	213	264.16(a)(4)					
		264.16(b)					
		264.16(c)					
		264.16(d)					
		264.16(d)(1)					
		264.16(d)(2)					
recordkeeping	IV A	264.16(d)(3)					
		264.16(d)(4)					
		264.16(e)					
		264.17(a)					
how long training records must be kept	IV A	264.16(e)					
<b>GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES</b>							
precautions to prevent waste ignition or reaction	IV A	264.17(a)					
precautions to prevent specified reactions	IV A, 214	264.17(b)					
		264.17(b)(1)					
		264.17(b)(2)					
		264.17(b)(3)					
		264.17(b)(4)					
		264.17(b)(5)					
documentation of compliance with 264.17(a) or (b)	IV A	264.17(c)					
<b>LOCATION STANDARDS</b>							
seismic considerations:	IV A	264.18(a)					
distance to faults	IV A	264.18(a)(1)					
definitions:	IV A	264.18(a)(2)					
“fault”	IV A	264.18(a)(2)(i)					
“displacement”	IV A	264.18(a)(2)(ii)					
“Holocene”	IV A, 214	264.18(a)(2)(iii)					
floodplains:	IV A	264.18(b)					
if located in 100 year floodplain, special construction, unless:	IV A	264.18(b)(1)					



CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
removal procedures in place	IV A	264.18(b)(1)(i)					
washout would not be hazardous considering specific factors	IV A, 45	264.18(b)(1)(ii)					
	IV A	264.18(b)(1)(ii)(A)					
		264.18(b)(1)(ii)(B)					
		264.18(b)(1)(ii)(C)					
264.18(b)(1)(ii)(D)							
definitions:	IV A	264.18(b)(2)					
“100-year floodplain”	IV A	264.18(b)(2)(i)					
“washout”	IV A	264.18(b)(2)(ii)					
“100-year flood”	IV A, <b>214</b>	264.18(b)(2)(iii)					
prohibition of waste in salt domes, salt bed formations, underground mines, and caves	17 E	264.18(c)					
<b>9 CONSTRUCTION QUALITY ASSURANCE PROGRAM</b>							
<b>10 CQA program</b>	<b>100</b>	<b>264.19(a)</b>					
required for all surface impoundment, waste pile and landfill units that must comply with 264.221(c)&(d), 264.251(c)&(d), and 264.301(c)&(d); program must ensure constructed unit meets or exceeds all permit design criteria and specifications; program must be developed and implemented under a CQA officer who is a registered professional engineer	100	264.19(a)(1)					
the physical components the CQA program must address	100	264.19(a)(2)					
		264.19(a)(2)(i)					
		264.19(a)(2)(ii)					
		264.19(a)(2)(iii)					
		264.19(a)(2)(iv)					
		264.19(a)(2)(v)					
264.19(a)(2)(vi)							

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
before construction begins, owner/operator must develop a written CQA plan; must identify steps that will be used to monitor and document quality of materials and condition and manner of their installation; what the CQA plan must include:	100	264.19(b)					
identification of applicable units and how they will be constructed	100	264.19(b)(1)					
identification of key CQA plan development and implementation personnel; CQA officer qualifications	100	264.19(b)(2)					
inspection and sampling activities' description; what must be described	100	264.19(b)(3)					
contents of program	100	264.19(c)					
must include observations, inspections, tests, and measurements sufficient to ensure:	100	264.19(c)(1)					
structural stability and integrity of 264.19(a)(2) units	100	264.19(c)(1)(i)					
proper construction according to permit specifications and good engineering practices, and proper installation according to design specifications	100	264.19(c)(1)(ii)					
material conformity with design and other material specifications	100	264.19(c)(1)(iii)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
test fills for compacted soils liners, using full scale compaction methods to ensure liners are constructed to meet specific hydraulic conductivity requirements; compliance verified by in-situ testing on constructed test fill; conditions under which alternate may be accepted	100	264.19(c)(2)					
certification to Regional Administrator before waste received; signed by CQA officer stating that approved CQA plan successfully carried out and units meet specific requirements; 270.30(I)(2)(ii) procedure complete; documentation furnished upon request	100	264.19(d)					
<b>SUBPART C - PREPAREDNESS AND PREVENTION</b>							
<b>APPLICABILITY</b>							
all HW facilities, except as 264.1 provides	*	264.30					
<b>DESIGN AND OPERATION OF FACILITY</b>							
requirements regarding design and operation	IV A	264.31					
<b>REQUIRED EQUIPMENT</b>							
what a facility must be equipped with	*	264.32					
internal communications or alarm	IV A	264.32(a)					
telephone or equivalent	IV A	264.32(b)					
fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment	IV A	264.32(c)					
water of adequate volume and pressure	IV A	264.32(d)					
<b>TESTING AND MAINTENANCE OF EQUIPMENT</b>							
what equipment must be tested and maintained	IV A	264.33					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>ACCESS TO COMMUNICATIONS OR ALARM SYSTEM</b>							
handling hazardous waste--what equipment personnel must have immediate access to	IV A	264.34(a)					
what equipment must be immediately available when one employee only	IV A	264.34(b)					
<b>REQUIRED AISLE SPACE</b>							
determination of space between aisles reserved	IV A	264.35					
		264.36					
<b>ARRANGEMENTS WITH LOCAL AUTHORITIES</b>							
specific arrangements which must be made	IV A	264.37(a)					
		264.37(a)(1)					
		264.37(a)(2)					
		264.37(a)(3)					
		264.37(a)(4)					
document refusals to enter into arrangement in operating record	IV A	264.37(b)					
<b>SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES</b>							
<b>APPLICABILITY</b>							
applies to all HW facilities, except as 264.1 provides	*	264.50					
<b>PURPOSE AND IMPLEMENTATION OF CONTINGENCY PLAN</b>							
contingency plan required; purpose	IV A	264.51(a)					
when to implement plan	IV A	264.51(b)					
<b>CONTENT OF CONTINGENCY PLAN</b>							
describes actions to take when emergency	IV A	264.52(a)					
11, 12 relationship to SPCC or other plans; <b>may develop one contingency plan which meets all regulatory requirements.</b>	IV A, †213, 223	264.52(b)					
arrangements with local police, fire department, etc.	IV A	264.52(c)					
list names and addresses; keep up to date; listed in order to assume responsibility as alternates	IV A	264.52(d)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
list of emergency equipment at facility	IV A	264.52(e)					
evacuation plan	IV A	264.52(f)					
<b>COPIES OF CONTINGENCY PLAN</b>							
copies of plan and all revisions must be:	*	264.53					
maintained at facility	IV A	264.53(a)					
submitted to local police, fire department, hospitals, etc.	IV A	264.53(b)					
<b>AMENDMENT OF CONTINGENCY PLAN</b>							
when plan must be reviewed and, if necessary, immediately amended:	*	264.54					
facility permit revision	IV A	264.54(a)					
plan fails in an emergency	IV A	264.54(b)					
facility change	IV A	264.54(c)					
list of emergency coordinators changes	IV A	264.54(d)					
13 list of equipment changes	IV A, †54	264.54(e)					
<b>EMERGENCY COORDINATOR</b>							
responsibilities	IV A	264.55					
<b>EMERGENCY PROCEDURES</b>							
procedures for imminent or actual emergency	IV A	264.56(a)					
		264.56(a)(1)					
		264.56(a)(2)					
release, fire, explosion	IV A	264.56(b)					
hazard assessment	IV A	264.56(c)					
report of emergency coordinator's findings	IV A	264.56(d)					
notify local authorities	IV A	264.56(d)(1)					
report to on-scene coordinator or National Response Center coordinator; what the report must include	IV A, <b>223</b>	264.56(d)(2) <b>intro.</b>					
		264.56(d)(2)(i)					
		264.56(d)(2)(ii)					
		264.56(d)(2)(iii)					
		264.56(d)(2)(iv)					
		264.56(d)(2)(v)					
measures during emergency	IV A	264.56(e)					
procedures if facility stops operation	IV A	264.56(f)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
treatment, storage, or disposal of material resulting from emergency	IV A	264.56(g)					
procedures after emergency	IV A	264.56(h)					
		264.56(h)(1)					
		264.56(h)(2)					
<b>14 Removed</b>	<b>IV A, 213</b>	264.56(i)					
<b>14</b> operating record information; written report to Regional Administrator	<b>IV A, 213</b>	264.56(i)					
what the report to Regional Administrator must include	IV A	264.56(i)(1)					
		264.56(i)(2)					
		264.56(i)(3)					
		264.56(i)(4)					
		264.56(i)(5)					
		264.56(i)(6)					
		264.56(i)(7)					
<b>SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING</b>							
<b>APPLICABILITY</b>							
<b>15</b> subpart applies to both on- and off-site facilities; exceptions	IV A, 17 D, 156, <b>207</b>	264.70(a)					
<b>applicability of revised manifest form and procedures</b>	<b>207</b>	<b>264.70(b)</b>					
<b>USE OF MANIFEST SYSTEM</b>							
<b>16</b> general requirements if facility receives waste accompanied by manifest as indicated in 264.71(a)(2)	<b>207</b>	264.71(a)(1)					
<b>16, 17</b> if facility receives waste shipment accompanied by manifest, must:	IVA, <b>207, 231</b>	264.71(a)(2)					
<b>16</b> sign and date each copy of manifest	IVA, <b>207, 231, 239</b>	<b>264.71(a)(2)(i)</b>					
<b>16, 17</b> note any discrepancies	IVA, <b>207</b>	<b>264.71(a)(2)(ii)</b>					
<b>16, 17</b> immediately give transporter at least one copy		<b>264.71(a)(2)(iii)</b>					
<b>16</b> within 30 days of delivery, send copy to generator	IVA, <b>207, 231, 239</b>	<b>264.71(a)(2)(iv)</b>					
<b>18</b> paper manifest submission	<b>231, 239</b>	<b>264.71(a)(2)(v)</b>					
	<b>239</b>	<b>264.71(a)(2)(v)(A)</b>					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>requirements; options for compliance by date</b>		<b>264.71(a)(2)(v)(B)</b>					
<b>16, 17 retain a copy of the manifest at the facility for at least three years</b>	IVA, 207, 231	264.71(a)(2)(vi)					
receiving waste imported from a foreign source when shipment is subject to <b>part 262, subpart H</b>	207, 222, 236	264.71(a)(3)					
	236	<b>264.71(a)(3)(i)</b> <b>264.71(a)(3)(ii)</b>					
duties of owner or operator when receiving from a rail or water (bulk shipment) transporter waste accompanied by shipping paper	IV A	264.71(b)					
		264.71(b)(1)					
		264.71(b)(2)					
		264.71(b)(3)					
	IV A, 207	264.71(b)(4)					
	IV A	264.71(b)(5)					
<b>19 facility that initiates shipment must comply with specific sections of part 262</b>	*, 237	264.71(c)					
shipment subject to <b>262.84(d)(2)(xv)</b>	152, 222, 236	264.71(d)					
<b>determine consignment state regulations and manifest requirements</b>	207	<b>264.71(e)</b>					
		<b>264.71(f)</b>					
<b>20 legal equivalence to paper manifests</b>	231	<b>264.71(f)(1)</b>					
		<b>264.71(f)(2)</b>					
		<b>264.71(f)(3)</b>					
		<b>264.71(f)(4)</b>					
		<b>264.71(f)(5)</b>					
<b>participation in the electronic manifest system</b>	231	<b>264.71(g)</b>					
		<b>264.71(h)</b>					
<b>special procedures applicable to replacement manifests</b>	231	<b>264.71(h)(1)</b>					
		<b>264.71(h)(2)</b>					
		<b>264.71(h)(3)</b>					
		<b>264.71(h)(4)</b>					
<b>special procedures applicable to electronic signature methods undergoing tests</b>	231	<b>264.71(i)</b>					
<b>21, 22 imposition of user fee for electronic manifest use per 264.1311, 264.1312 and 264.1313</b>	231, 239	<b>264.71(j)(1)</b>					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
					EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
21, 22	<b>user fee payments in accordance with 264.1314 subject to dispute resolution under 264.1316 and delinquent payments under 264.1315</b>	239	264.71(j)(2)					
20	<b>electronic manifest signature criteria in 262.25</b>	231	264.71(k)(1)					
18	<b>procedures and requirements for post-receipt manifest data corrections</b>	239	264.71(l)					
			264.71(l)(1)					
			264.71(l)(2)					
			264.71(l)(2)(i)					
			264.71(l)(2)(ii)					
			264.71(l)(2)(iii)					
			264.71(l)(3)					
			264.71(l)(3)(i)					
			264.71(l)(3)(ii)					
			264.71(l)(4)					
	264.71(l)(5)							
<b>MANIFEST DISCREPANCIES</b>								
23	<b>definition of manifest discrepancies</b>	IV A, 207	264.72(a)					
			264.72(a)(1)					
		207	264.72(a)(2)					
			264.72(a)(3)					
23	<b>significant differences in quantity defined</b>	IVA, 207	264.72(b)					
23	<b>actions on discovering a significant difference in quantity or type upon rejecting waste or identifying a container residue that exceeds the quantity limits</b>	IV A, 207	264.72(c)					
		207	264.72(d)(1)					
	<b>ensure proper location and receipt of rejected wastes or residues</b>	207	264.72(d)(2)					
	<b>new manifest required for rejections/residues; except as provided in 264.72(e)(7)</b>	207	264.72(e)					
			264.72(e)(1)					
			264.72(e)(2)					
			264.72(e)(3)					
			264.72(e)(4)					
			264.72(e)(5)					
		207, 223	264.72(e)(6)					
	207	264.72(e)(7)						
	<b>requirements for rejections/residues that</b>	207	264.72(f)					
		207, 223	264.72(f)(1)					



CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>must be sent back to generator</b>	<b>207</b>	<b>264.72(f)(2)</b>					
		<b>264.72(f)(3)</b>					
		<b>264.72(f)(4)</b>					
		<b>264.72(f)(5)</b>					
		<b>264.72(f)(6)</b>					
	<b>207, 223</b>	<b>264.72(f)(7)</b>					
	<b>223</b>	<b>264.72(f)(8)</b>					
<b>manifest requirements when dealing with discrepancies</b>	<b>207</b>	<b>264.72(g)</b>					
† OPERATING RECORD							
written operating record at facility	IV A	264.73(a)					
information which must be recorded <b>for three years unless noted:</b>	IV A, <b>213</b>	264.73(b)					
description and quantity of waste; dates of treatment, storage, or disposal	IV A, <b>213</b>	264.73(b)(1)					
location of waste and quantity at each location	IV A, <b>213</b>	264.73(b)(2)					
records and results of waste analyses	IV A, 16, 34, 79, 154	264.73(b)(3)					
reports of incidents which require implementing contingency plan	IV A	264.73(b)(4)					
records and results of inspections	IV A	264.73(b)(5)					
monitoring, testing, analytical data, and corrective action	IV A, 28, 45, 79, 100, 154, 163, <b>213</b>	264.73(b)(6)					
notices to generators	IV A	264.73(b)(7)					
closure and post-closure cost estimates	IV A, <b>213</b>	264.73(b)(8)					
annual certification regarding waste minimization	17 D	264.73(b)(9)					
records of hazardous waste placed in land disposal units under extension, petition, or certification; 268.7(a) notice by generator	34, 50, <b>213</b>	264.73(b)(10)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
off-site treatment facility requirements	34, 50	264.73(b)(11)					
on-site treatment facility requirements	34, 50	264.73(b)(12)					
off-site land disposal facility requirements	34, 50	264.73(b)(13)					
on-site land disposal facility requirements	34, 50	264.73(b)(14)					
off-site storage facility requirements	50	264.73(b)(15)					
on-site storage facility requirements	50	264.73(b)(16)					
† any records required under 264.1(j)(13)	175	264.73(b)(17)					
<b>maintenance of monitoring, testing or analytical data as required under 264.347</b>	<b>213</b>	<b>264.73(b)(18)</b>					
<b>maintenance of certifications as required under 264.196</b>	<b>213</b>	<b>264.73(b)(19)</b>					
<b>AVAILABILITY, RETENTION, AND DISPOSITION OF RECORDS</b>							
all records available for inspection	IV A	264.74(a)					
retention period extension under unresolved enforcement action	IV A	264.74(b)					
copy of records to Regional Administrator and local authority at closure	IV A	264.74(c)					
<b>BIENNIAL REPORT</b>							
when to submit, what form, and what must be reported:	IV A, †1, <b>237</b>	264.75					
EPA identification number	IV A	264.75(a)					
calendar year covered by report	IV A	264.75(b)					
EPA I.D.s of generators; name and address for foreign generators	IV A	264.75(c)					
description and quantity of wastes received	IV A	264.75(d)					
methods of handling reserved	IV A	264.75(e)					
	IV A	264.75(f)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
					EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
	closure cost estimate; post-closure cost estimate	IV A	264.75(g)					
	volume and toxicity reduction efforts	30	264.75(h)					
	volume and toxicity reduction achieved	30	264.75(i)					
24	signed certification	IV A, 30	264.75(j)					
<b>UNMANIFESTED WASTE REPORT</b>								
25	when an unmanifested report is required; form which must be used; information it must include	IV A, 1, 207	264.76(a)					
25	EPA identification number	IV A, 207	264.76(a)(1)					
25	date waste received	IV A, 207	264.76(a)(2)					
25	generator and transporter EPA identification numbers; address and name	IV A, 207	264.76(a)(3)					
25	description and quantity of unmanifested waste	IV A, 207	264.76(a)(4)					
25	handling method	IV A, 207	264.76(a)(5)					
25	signed certification	IV A, 207	264.76(a)(6)					
25	explanation of why unmanifested	IV A, 207	264.76(a)(7)					
	<b>[Reserved]</b>	<b>207</b>	<b>264.76(b)</b>					
<b>ADDITIONAL REPORTS</b>								
	what else must be reported to Regional Administrator	*, †1	264.77					
	releases, fires, explosions	IV A	264.77(a)					
26	facility closures	IV A	264.77(b)					
	as otherwise required by Subparts F, K through N, AA, and BB	*, 79, 154	264.77(c)					
<b>SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS</b>								
<b>APPLICABILITY</b>								
	applies to all HW facilities; satisfy requirements of 264.90(a)(2)	IV A, 17 L	264.90(a)(1)					
	what each solid waste management unit must comply with	IV A, 17 L	264.90(a)(2)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
exemptions from Subpart F's requirements:	IV A, † 17 I	264.90(b)					
exempted by 264.1	IV A, † 17 I	264.90(b)(1)					
27 operates a unit which Regional Administrator finds meets certain requirements	IV A, † 17 I	264.90(b)(2)					
		264.90(b)(2)(i)					
		264.90(b)(2)(ii)					
		264.90(b)(2)(iii)					
		264.90(b)(2)(iv)					
		264.90(b)(2)(v)					
		264.90(b)(2)(vi)					
264.90(b)(2)(vii)							
HW levels not statistically significantly above background levels; unsaturated zone monitoring meets 264.278; only for post-closure care period	IV A, † 17 I	264.90(b)(3)					
no potential for migration; certification by qualified geologist or geotechnical engineer	IV A, † 17 I	264.90(b)(4)					
28 designs and operates pile in compliance with 264.250(c)	IV A, † 17 I	264.90(b)(5)					
requirements under Subpart F apply during active life; after closure:	IV A	264.90(c)					
requirements not apply if all wastes, etc. removed or decontaminated	IV A	264.90(c)(1)					
requirements apply during post-closure if detection monitoring	IV A	264.90(c)(2)					
requirements apply during compliance period if compliance monitoring or corrective action	IV A	264.90(c)(3)					
Subpart F requirements apply to miscellaneous units when necessary to comply with 264.601 through 264.603	45	264.90(d)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† 264 Subpart F regulations apply to all owners/operators subject to 270.1(c)(7) when either post-closure permit or enforceable document is issued	174	264.90(e)					
† Regional Administrator may replace requirements of 264.91--264.100 with alternative regulations for groundwater monitoring & corrective action for releases to groundwater contained in permit (or enforceable document) where Regional Administrator determines:	174	264.90(f) intro					
† regulated unit is situated among solid waste management units, release has occurred, and both regulated unit and one or more solid waste management unit(s) are likely to have contributed to release; and	174	264.90(f)(1)					
† it is not necessary to apply 264.91 - 264.100 requirements because alternative requirements will protect human health and environment	174	264.90(f)(2)					
<b>REQUIRED PROGRAMS</b>							
monitoring and response program	IV A	264.91(a)					
when hazardous constituents detected at compliance point; compliance monitoring; "detected" defined	IV A, 55	264.91(a)(1)					
corrective action program when groundwater protection standard is exceeded; "exceeded" defined	IV A, 55	264.91(a)(2)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
corrective action program when hazardous constituents exceed concentration limits	IV A	264.91(a)(3)					
in other cases detection monitoring instituted	IV A	264.91(a)(4)					
specific elements of monitoring and response program specified in permit	IV A	264.91(b)					
<b>GROUND-WATER PROTECTION STANDARD</b>							
owner must comply with permit conditions designed to ensure that 264.93 hazardous constituents entering ground water not exceed 264.94 concentration limits; ground-water protection standard	IV A, 55	264.92					
<b>HAZARDOUS CONSTITUENTS</b>							
hazardous constituents specified in permit to which 264.92 ground-water protection standard applies; hazardous constituents are identified in 261, Appendix VIII and have been detected in uppermost aquifer	IV A	264.93(a)					
exclusion of Appendix VIII constituents from permit; what Regional Administrator must consider before granting an exemption	IV A	264.93(b)					
		264.93(b)(1)					
		264.93(b)(1)(i)					
		264.93(b)(1)(ii)					
		264.93(b)(1)(iii)					
		264.93(b)(1)(iv)					
		264.93(b)(1)(v)					
		264.93(b)(1)(vi)					
		264.93(b)(1)(vii)					
		264.93(b)(1)(viii)					
		264.93(b)(1)(ix)					
		264.93(b)(2)					
		264.93(b)(2)(i)					
		264.93(b)(2)(ii)					
		264.93(b)(2)(iii)					
264.93(b)(2)(iv)							
264.93(b)(2)(v)							

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
		264.93(b)(2)(vi)					
		264.93(b)(2)(vii)					
		264.93(b)(2)(viii)					
		264.93(b)(2)(ix)					
		264.93(b)(2)(x)					
determination regarding use of ground water around facility; ID of drinking water sources and exempted aquifers under 144.8	IV A	264.93(c)					
<b>CONCENTRATION LIMITS</b>							
Regional Administrator will specify ground-water concentration limits for 264.93 hazardous constituents	IV A	264.94(a)					
not exceed background	IV A	264.94(a)(1)					
not exceed Table 1 constituents	IV A	264.94(a)(2)					
not exceed an alternate limit set by Regional Administrator	IV A	264.94(a)(3)					
factors Regional Administrator will consider for setting alternate limits	IV A	264.94(b)					
potential adverse effects on ground-water quality considering specific factors	IV A	264.94(b)(1)					
		264.94(b)(1)(i)					
		264.94(b)(1)(ii)					
		264.94(b)(1)(iii)					
		264.94(b)(1)(iv)					
		264.94(b)(1)(v)					
		264.94(b)(1)(vi)					
		264.94(b)(1)(vii)					
		264.94(b)(1)(viii)					
264.94(b)(1)(ix)							
potential adverse effects on hydraulically connected surface-water quality considering specific factors	IV A	264.94(b)(2)					
		264.94(b)(2)(i)					
		264.94(b)(2)(ii)					
		264.94(b)(2)(iii)					
		264.94(b)(2)(iv)					
		264.94(b)(2)(v)					
		264.94(b)(2)(vi)					
		264.94(b)(2)(vii)					
		264.94(b)(2)(viii)					
		264.94(b)(2)(ix)					
264.94(b)(2)(x)							

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
in determining use of ground water around facility, Regional Administrator must consider any identification of underground sources of drinking water and exempted aquifers under 144.8	IV A	264.94(c)					
<b>POINT OF COMPLIANCE</b>							
point of compliance specified in permit for 264.92 ground-water protection standard; point of compliance defined	IV A	264.95(a)					
definition of waste management area	IV A	264.95(b)					
		264.95(b)(1)					
		264.95(b)(2)					
<b>COMPLIANCE PERIOD</b>							
compliance period specified in permit for 264.92 ground-water protection standard; definition of compliance period	IV A	264.96(a)					
when compliance period begins	IV A	264.96(b)					
end of period; extension until meet ground-water protection standard of 264.92	IV A	264.96(c)					
<b>GENERAL GROUND-WATER MONITORING REQUIREMENTS</b>							
owner or operator must comply with the following ground-water monitoring program requirements:	*	264.97					
sufficient number of wells installed at appropriate locations and depths that:	IV A	264.97(a)					
represent background quality	IV A, 55, <b>214</b>	264.97(a)(1)					



CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
					EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
29	sample wells not hydraulically upgradient where specific conditions are met	IV A, 55, <b>214</b>	264.97(a)(1)(i)					
		IV A, 55	264.97(a)(1)(i)(A) 264.97(a)(1)(i)(B)					
	represent ground-water quality passing point of compliance	IV A	264.97(a)(2)					
	contamination detection when migration to uppermost aquifer	55	264.97(a)(3)					
	separate ground-water monitoring units not needed for multiple units if meet certain requirements	IV A	264.97(b)					
	well casing requirements	IV A	264.97(c)					
	consistent sampling and analysis procedures that are reliable	IV A	264.97(d)					
			264.97(d)(1)					
			264.97(d)(2)					
			264.97(d)(3)					
			264.97(d)(4)					
	appropriate and accurate sampling and analysis methods	IV A	264.97(e)					
	ground-water surface elevation determination for each sample	IV A	264.97(f)					
	detection monitoring, sampling procedures; number and kinds of samples, sample size	IV A, 55	264.97(g)					
sequencing of at least four samples; requirements to determine interval between	IV A, 55	264.97(g)(1)						
alternate sampling procedure	IV A, 55	264.97(g)(2)						
removed	IV A, 55	264.97(g)(3)						
		264.97(g)(3)(i)						
		264.97(g)(3)(ii)						
removed	IV A, 55	264.97(g)(4)						
specify statistical evaluation methods for ground-water data and specify in permit; requirements for use of listed methods	IV A, 55	264.97(h)						

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
parametric ANOVA followed by multiple comparisons procedures	IV A, 55	264.97(h)(1)					
ANOVA based on ranks followed by multiple comparisons procedures	IV A, 55	264.97(h)(2)					
tolerance or prediction interval procedure	55	264.97(h)(3)					
control chart approach	55	264.97(h)(4)					
another statistical method approved by Regional Administrator	55	264.97(h)(5)					
performance standards for statistical methods chosen under 264.97(h):	55	264.97(i)					
appropriate for distribution of chemical parameters or hazardous constituents; transformed or distribution-free test	55	264.97(i)(1)					
individual well comparison - 0.01 Type I error; multiple comparisons - 0.05 Type I error, but maintain 0.01 Type I error for individual wells	55	264.97(i)(2)					
for control chart approach, what must be approved by Regional Administrator	55	264.97(i)(3)					
for tolerance or prediction interval, what must be approved by Regional Administrator	55	264.97(i)(4)					
account for data below detection limit and requirements	55, 214	264.97(i)(5)					
procedures to correct or control for seasonal and spatial variability	55	264.97(i)(6)					
maintenance of ground-water monitoring data in facility operating record; when data must be reviewed	55	264.97(j)					
<b>DETECTION MONITORING PROGRAM</b>							
owner's responsibilities	*	264.98					
	IV A	264.98(a)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator must monitor for indicator parameters; Regional Administrator will specify parameters in permit		264.98(a)(1)					
	IV A, 214	264.98(a)(2)					
	IV A	264.98(a)(3)					
		264.98(a)(4)					
owner or operator must have ground-water monitoring system at compliance point and comply with 264.97(a)(2), (b) & (c)	IV A	264.98(b)					
ground-water monitoring program for each chemical parameter and hazardous constituent; record of ground-water analytical data	IV A, 55	264.98(c)					
Regional Administrator specifies frequency of samples and tests	IV A, 55, †213	264.98(d)					
owner must determine ground-water flow rate and direction at least annually	IV A	264.98(e)					
30 determine if statistically significant evidence of contamination	IV A, 55	264.98(f)					
30 methods which can be used	IV A, 55	264.98(f)(1)					
30 determine evidence of contamination at each monitoring well at compliance point; time period determined and specified in permit by Regional Administrator	IV A, 55	264.98(f)(2)					
31 what owner or operator must do if statistically significant evidence of contamination	IV A, 55	264.98(g)					
31 notification of Regional Administrator	IV A, 55	264.98(g)(1)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
31 immediate determination if 264, Appendix IX constituents are in ground water; <b>Regional Administrator may allow sampling for a site-specific set of constituents</b>	IV A, 40, 55, †213	264.98(g)(2)					
31 for constituents found, resample in one month <b>or at an alternative site-specific schedule</b> ; if confirmed, form basis of compliance monitoring; if no resample - initial analysis is basis	IV A, 40, 55, †213	264.98(g)(3)					
application for permit modification	IV A, 55	264.98(g)(4)					
31, 32 identification of Appendix IX constituent concentration	IV A, 40, 55, 214	264.98(g)(4)(i)					
31 proposed changes to ground-water monitoring system	IV A, 55	264.98(g)(4)(ii)					
31 proposed additions or changes to monitoring frequency	IV A, 55	264.98(g)(4)(iii)					
31 proposed concentration limit or notice of intent for alternate concentration limit	IV A, 55	264.98(g)(4)(iv)					
31 what must be submitted within 180 days	IV A, 55	264.98(g)(5)					
31 data to justify alternate concentration limit	IV A, 55	264.98(g)(5)(i)					
31 engineering feasibility plan for corrective action	IV A, 55	264.98(g)(5)(ii)					
31 concentration of 264.98(g)(2) constituents does not exceed values of Table 1, 264.94	IV A, 55	264.98(g)(5)(ii)(A)					
31 alternate concentration limit	IV A, 55	264.98(g)(5)(ii)(B)					
demonstration that a source other than regulated unit caused contamination	55	264.98(g)(6)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
notify Regional Administrator of intent to submit demonstration	55	264.98(g)(6)(i)					
within 90 days, report demonstrating that another source caused contamination or there was an error in sampling, analysis or evaluation	55	264.98(g)(6)(ii)					
within 90 days, application for permit modification	55	264.98(g)(6)(iii)					
continue to monitor according to detection monitoring program	55	264.98(g)(6)(iv)					
33 what must be done if detection monitoring program no longer satisfies requirements	IV A, 55	264.98(h)					
removed	IV A, 55	264.98(i)					
33 removed	IV A, 55	264.98(j)					
removed	IV A, 55	264.98(k)					
† COMPLIANCE MONITORING PROGRAM							
owner or operator responsibilities:	*	264.99					
monitor ground water to determine if in compliance with 264.92; Regional Administrator specifies ground-water protection standard in the facility permit	IV A	264.99(a)					
		264.99(a)(1)					
		264.99(a)(2)					
		264.99(a)(3)					
ground-water monitoring system at compliance point; what it must comply with	IV A	264.99(b)					
34 Regional Administrator specifies procedures and statistical methods	IV A, 55	264.99(c)					
34 sampling program for each chemical parameter or hazardous constituent	IV A, 55	264.99(c)(1)					
34 record of ground-water analytical data	IV A, 55	264.99(c)(2)					
34 statistical evidence of increased contamination of any chemical parameter or hazardous constituent	IV A, 55	264.99(d)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
					EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
34	method(s) to determine statistically significant evidence of increased contamination	IV A, 55	264.99(d)(1)					
34	within reasonable time period, determine if statistically significant evidence of increased contamination at each monitoring well at compliance point	IV A, 55	264.99(d)(2)					
	determine flow rate and direction	IV A	264.99(e)					
34	Regional Administrator specification of sample and test frequencies	55, 213	264.99(f)					
34	<b>annually determine whether additional hazardous constituents from appendix IX are actually present</b>	IV A, 40, 55, 213	264.99(g)					
34	actions when constituents exceeded 264.94 limits	IV A, 55	264.99(h)					
		IV A	264.99(h)(1)					
		IV A, 214	264.99(h)(2)					
		IV A	264.99(h)(2)(i) 264.99(h)(2)(ii)					
34	demonstration that increase due to other sources; what must be done	IV A, 55	264.99(i)					
		IV A	264.99(i)(1)					
			264.99(i)(2)					
			264.99(i)(3) 264.99(i)(4)					
34	permit modification when compliance monitoring no longer satisfies 264.99	IV A, 55	264.99(j)					
34	removed	IV A, 55	264.99(k)					
34	removed	IV A, 55	264.99(l)					
<b>CORRECTIVE ACTION PROGRAM</b>								
	owner or operator responsibilities	*	264.100					
	take corrective action to assure compliance with 264.92 standard; standards set in permit	IV A	264.100(a)					
	list of hazardous constituents	IV A	264.100(a)(1)					
	concentration limits	IV A	264.100(a)(2)					
	compliance point	IV A	264.100(a)(3)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
compliance period	IV A	264.100(a)(4)					
implement corrective action program to prevent hazardous constituents from exceeding limits; specific measures set in permit	IV A	264.100(b)					
permit States time to begin corrective action; requirements in lieu of 264.99(i)(2)	IV A	264.100(c)					
ground-water monitoring program to demonstrate effectiveness of corrective action	IV A	264.100(d)					
corrective action to remove or treat in place hazardous constituents exceeding 264.94 limits	IV A, 44 B	264.100(e)					
compliance point, downgradient property boundary	44 B	264.100(e)(1)					
release beyond facility boundaries	44 B	264.100(e)(2)					
35 corrective action measure must be completed within reasonable period	IV A, 44 B	264.100(e)(3)					
35 when corrective action can be terminated	IV A, 44 B	264.100(e)(4)					
period of corrective action	IV A	264.100(f)					
report in writing on effectiveness of corrective action; submit <b>annually</b>	IV A, <b>213</b>	264.100(g)					
permit modification if corrective action program no longer satisfies 264.100	IV A	264.100(h)					
<b>CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS</b>							
if seeking permit, institute corrective action to protect health and environment from hazardous waste releases	17 L	264.101(a)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
corrective action specified in permit in accordance with this section and subpart S of this part; schedule of compliance and financial responsibility	17 L, † 121	264.101(b)					
corrective action beyond facility boundaries	44 B	264.101(c)					
† does not apply to remediation waste management sites unless part of a facility subject to permit for treating, storing or disposing of hazardous wastes that are not remediation wastes	175, 214	264.101(d)					

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

except as 264.1 provides otherwise:	*	264.110					
264.111 through 264.115 apply to all owners and operators of all hazardous waste management facilities	IV A, 24	264.110(a)					
264.116 through 264.120 apply to all owners and operators of:	IV A, 24	264.110(b)					
all hazardous waste disposal facilities	IV A, 24, 109	264.110(b)(1)					
waste piles and surface impoundments from which wastes are removed at closure	IV A, 24, 109	264.110(b)(2)					
tank systems required under 264.197 to meet landfill requirements	28, 109	264.110(b)(3)					
containment buildings required under 264.1102 to meet the requirements for landfills	109	264.110(b)(4)					



CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
† Regional Administrator may replace part 264 Subpart G requirements with alternative requirements contained in permit or enforceable document where Regional Administrator determines that:	174	264.110(c)					
† regulated unit is situated among solid waste management units, release has occurred, and both regulated unit and one or more solid waste management unit(s) are likely to have contributed to release; and	174	264.110(c)(1)					
† it is not necessary to apply part 264 Subpart G requirements because alternative requirements will protect human health and environment and satisfy 264.111(a)&(b) requirements	174	264.110(c)(2)					
<b>CLOSURE PERFORMANCE STANDARD</b>							
manner of closing	*	264.111					
minimizes further maintenance	IV A, 24	264.111(a)					
controls, minimizes, or eliminates post-closure escape	IV A, 24	264.111(b)					
complies with requirements of Subpart G plus specific sections of 264	24, 45, 09, 214	264.111(c)					
<b>CLOSURE PLAN; AMENDMENT OF PLAN</b>							
written plan required; contingent closure plans; submitted with permit; condition of permit	IV A, † 24	264.112(a)(1)					
what the approved closure plan must be consistent with; furnished on request	IV A, † 24, 45, 109	264.112(a)(2)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
removed	IV A, † 24	264.112(a)(3)					
removed	IV A, † 24	264.112(a)(4)					
content of plan	IV A, 24	264.112(b)					
how each HW management unit will be closed	24	264.112(b)(1)					
final closure/maximum extent of facility not closed during active life	24	264.112(b)(2)					
maximum inventory of hazardous waste ever on site over active life	24	264.112(b)(3)					
description of steps needed to remove or decontaminate all residues/equipment	24	264.112(b)(4)					
other activities to assure closure	24	264.112(b)(5)					
schedule for closure for each unit; what schedule must include	24	264.112(b)(6)					
estimate year of final closure for facilities using trust funds for financial assurance	† 24	264.112(b)(7)					
†, 36 for facilities where Regional Administrator has applied alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d), either alternative requirements or reference to enforceable document containing those requirements	174, <b>214</b>	264.112(b)(8)					
amendment of plan	IV A, 24, † 54	264.112(c)					
written request prior to notification of partial or final closure	24, † 54	264.112(c)(1)					
required written request when:	24, † 54	264.112(c)(2)					
changes affect closure plan	24	264.112(c)(2)(i)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
change in expected year of closure	24	264.112(c)(2)(ii)					
unexpected events	24	264.112(c)(2)(iii)					
† owner/ operator requests Regional Administrator to apply alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d)	174	264.112(c)(2)(iv)					
submit written request 60 days prior to change; 60 days after unexpected event if during partial or final closure; surface impoundment and waste piles special requirements	24	264.112(c)(3)					
Regional Administrator may request modification; procedures	24	264.112(c)(4)					
†, 37 Notification of Partial and Final Closure							
38 procedures and requirements for notification of partial and final closure	24, 85	264.112(d)(1)					
	24, † 64	264.112(d)(2)					
	†64	264.112(d)(2)(i)					
	†64	264.112(d)(2)(ii)					
	24	264.112(d)(3)					
† remove wastes; decontaminate and dismantle equipment	24	264.112(e)					
39 CLOSURE; TIME ALLOWED FOR CLOSURE							
treat, remove, or dispose of all hazardous wastes within 90 days of receipt of final volume of hazardous waste, or final volume of non-hazardous waste	IV A, 24, † 64	264.113(a)					
modification and demonstration requirements for extending period	IV A, 24	264.113(a)(1)(i)					
	IV A, 24, † 64	264.113(a)(1)(ii)(A)					
	IV A, 24	264.113(a)(1)(ii)(B)					
		264.113(a)(1)(ii)(C)					
		264.113(a)(2)					
complete partial or final closure within 180 days of receiving final volume	IV A, 24, † 64	264.113(b)					
	IV A, 24	264.113(b)(1)(i)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
modification and demonstration requirements for extending closure period	IV A, 24, † 64	264.113(b)(1)(ii)(A)					
	IV A, 24	264.113(b)(1)(ii)(B)					
		264.113(b)(1)(ii)(C)					
how 264.113(a)(1) & (b)(1) demonstrations must be made	24, † 64	264.113(b)(2)					
		264.113(c)					
		264.113(c)(1)					
		264.113(c)(2)					

†, 39 Nonhazardous Waste Receipt Conditions

receive only non-hazardous wastes after the final receipt of hazardous wastes at specified units	64	264.113(d)					
permit modification requirements	64	264.113(d)(1)					
		264.113(d)(1)(i)					
		264.113(d)(1)(ii)					
		264.113(d)(1)(iii)					
		264.113(d)(1)(iv)					
		264.113(d)(1)(v)					
		264.113(d)(2)					
		264.113(d)(3)					
		264.113(d)(4)					

†, 39 Additional Requirements for Surface Impoundments

special requirements for surface impoundments not in compliance with liner and leachate collection system requirements	64	264.113(e)					
plans which must be submitted with request to modify permit	64	264.113(e)(1)					
		264.113(e)(1)(i)					
		264.113(e)(1)(ii)					
remove all hazardous wastes	64	264.113(e)(2)					
removal within 90 days; extension	64	264.113(e)(3)					
actions to be taken if a release is detected	64	264.113(e)(4)					
		264.113(e)(4)(i)					
		264.113(e)(4)(ii)					
		264.113(e)(4)(iii)					
<b>annual</b> reports	<b>64, 213</b>	264.113(e)(5)					
conditions under which Regional Administrator may require closure	64	264.113(e)(6)					
	64	264.113(e)(7)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESSSTRINGENT	MORE STRINGENT	BROADER IN SCOPE
actions to be taken if owner or operator fails to implement corrective measures or if no substantial progress pursuant to 264.113(e)(6) has been made		264.113(e)(7)(i)					
		264.113(e)(7)(ii)					
		264.113(e)(7)(iii)					
		264.113(e)(7)(iv)					
		264.113(e)(7)(v)					
<b>DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS</b>							
40 disposal and decontamination requirements during closure; 262 generator requirements	IV A, 24, 45, 52	264.114					
<b>CERTIFICATION OF CLOSURE</b>							
41 certification requirements at closure; required signatures; documentation upon request	IV A, 24, <b>213, 214</b>	264.115					
<b>SURVEY PLAT</b>							
survey plat requirements	<b>24, 214</b>	264.116					
<b>POST-CLOSURE CARE AND USE OF PROPERTY</b>							
continue care for 30 years	IV A, 24	264.117(a)(1)					
monitoring and reporting requirements	IV A, 24, 45	264.117(a)(1)(i)					
maintenance and monitoring for waste containment systems	IV A, 24, 45	264.117(a)(1)(ii)					
reduction or extension of time period for post-closure care by Regional Administrator	IV A, 24	264.117(a)(2)					
		264.117(a)(2)(i)					
		264.117(a)(2)(ii)					
conditions for continuation of security requirements of 265.14	IV A, 24	264.117(b)					
		264.117(b)(1)					
		264.117(b)(2)					
limits on post-closure use of property; exceptions	IV A, 24	264.117(c)					
		264.117(c)(1)					
		264.117(c)(2)					
post-closure activities in accordance with plan as specified in 264.118	IV A, 24	264.117(d)					
<b>POST-CLOSURE PLAN; AMENDMENT OF PLAN</b>							
written post-closure plan; contingent plans; condition of RCRA permit	IV A, 24	264.118(a)					

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			BROADER IN SCOPE
					EQUIVALENT	LESS STRINGENT	MORE STRINGENT	
42	activities specified in post-closure plan and their frequency	IV A, 24	264.118(b)					
42	monitoring activities and their frequency	IV A, 24, 45	264.118(b)(1)					
42	maintenance activities and their frequency	IV A, 24	264.118(b)(2)					
42	integrity of cap and final cover	IV A, 24, 45	264.118(b)(2)(i)					
42	function of monitoring equipment	IV A, 24, 45	264.118(b)(2)(ii)					
42, 43	person or office to contact	IV A, 24	264.118(b)(3)					
†	for facilities where Regional Administrator has applied alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d), either alternative requirements or reference to enforceable document containing those requirements	174	264.118(b)(4)					
43	availability and retention of plan	IV A, 24, <b>214</b>	264.118(c)					
44	written notification of or request for modification of plan	IV A, 24, † 54	264.118(d)					
	notification or request may be made at any time	24, † 54	264.118(d)(1)					
	must submit written request whenever:	24, † 54	264.118(d)(2)					
	changes that affect plan	24	264.118(d)(2)(i)					
	change in expected closure year	24	264.118(d)(2)(ii)					
	events affecting plan	24	264.118(d)(2)(iii)					
†	owner/operator requests Regional Administrator to apply alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d)	174	264.118(d)(2)(iv)					
	timing of modification request; submittal of post-closure plan	24	264.118(d)(3)					
	Regional Administrator's request for modifications	24	264.118(d)(4)					
45	POST-CLOSURE NOTICES							

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
record of type, location and quantity of HW	IV A, 24	264.119(a)					
46 requirement to enter note on deed; survey plan; submit certification	IV A, 24	264.119(b)					
		264.119(b)(1)					
		264.119(b)(1)(i)					
	IV A, 24, <b>214</b>	264.119(b)(1)(ii)					
	IV A, 24	264.119(b)(1)(iii)					
		264.119(b)(2)					
47 modification to remove hazardous wastes; criteria of 264.117(c); removal of notation; addition of notation	IV A, 24	264.119(c)					
		264.119(c)(1)					
		264.119(c)(2)					
<b>CERTIFICATION OF COMPLETION OF POST-CLOSURE CARE</b>							
48 completion of post-closure period	24, <b>213</b>	264.120					
46, 47 removed		264.120(a)					
		264.120(a)(1)-(3)					
		264.120(b)					

- 1 The May 3, 1993 final rule (58 FR 26420; Revision Checklist 122) inadvertently removed a correction made by the August 25, 1992 Federal Register (57 FR 38558, Revision Checklist 111). The August 25, 1992 rule changed “subparts C, D, F, or G” to “subparts C, F, G, or H”; the May 3, 1993 rule listed the old version of these internal references. The correct reference is “subparts C, F, G, or H”, as shown in the August 25, 1992 rule.
- 2 States should adopt 264.1(g)(11)(i)-(iii) as appropriate to reflect the universal wastes adopted. See the rule for Checklists 142 A-D (60 FR 25492; May 11, 1995).
- 3 Revision Checklist 181 is optional for States that have not added spent lamps to their universal waste program or that have added spent lamps to their universal waste program and regulate spent lamps as stringently as the Federal program. For States that have universal waste programs that include spent lamps, but do not regulate spent lamps as stringently as the Federal program, Revision Checklist 181 is not optional.
- 4 Note that the comment following 264.3 remains unchanged by Revision Checklist 121 (58 FR 8658; February 16, 1993).
- 5 **Although the 264.12(a) required notices requirement has been part of the federal program since the Base, the final rule addressed by Revision Checklist 236 (81 FR 85696; November 28, 2016) completely revised 264.12(a) and its subparagraphs such that 264.12(a) now contains introductory language and the subparagraphs are broken apart to cover specific import/export facility requirements.**
- 6 The August 14, 1989 rule (54 FR 33376, Revision Checklist 64) amended the first sentence of 264.13(a)(1). However, because of a misinterpretation of the codification instructions, the second sentence of the provisions at this citation was omitted from the 1990 and 1991 CFRs. Revision Checklist 102 (57 FR 8086; March 6, 1992) corrects the error by restoring the mistakenly deleted language.

- 7 **The final rule addressed by Revision Checklist 237 (81 FR 85732; November 28, 2016) also removed the comment following 264.15(b)(4).**
- 8 **Although not listed on Revision Checklist 237 (81 FR 85732; November 28, 2016) and accidentally omitted from the final rule's instructions for amending the federal regulations, the final rule should have removed the Performance Track member requirements at 264.15(b)(5) (see 81 FR 85782 for discussion in the rule preamble regarding deletion of both 264.15(b)(5) and 265.15(b)(5). 40 CFR 265.15(b)(5) has been removed; however, 264.15(b)(5) appears in error in the 2017 CFR and should be removed.**
- 9 Section 264.19 is considered to be both a HSWA and a Non-HSWA provision by Revision Checklist 100. It is Non-HSWA only to the extent that it applies to the final cover requirements for the Construction Quality Assurance Program.
- 10 Note that there is a typographical error in the Federal Register addressed by Revision Checklist 100 (57 FR 3462; January 29, 1992); "COA" should be "CQA".
- 11 **The final rule addressed by Revision Checklist 213 (71 FR 16862; April 4, 2006) added 3 sentences to the end of 264.52(b) related to development of one contingency plan to meet all regulatory requirements.**
- 12 **The final rule addressed by Revision Checklist 223 (75 FR 12989; March 18, 2010) amended the provision at 264.52(b), although the checklist itself does not include the "(b)".**
- 13 Revision Checklist 54 removed the comment following 264.54(e).
- 14 **The final rule addressed by Revision Checklist 213 (71 FR 16862; April 4, 2006) removed the old 264.56(i) and redesignated the existing 264.56(j) as (i).**
- 15 **The final rule addressed by Revision Checklist 207 (70 FR 10776; March 4, 2005) redesignated the former 264.70 paragraph as 264.70(a) and added 264.70(b).**
- 16 **The provision at 264.71(a) was part of the federal Base program regarding manifest requirements. The final rule addressed by Revision Checklist 207 (70 FR 10776; March 4, 2005) redesignated 264.71(a) – (a)(5) as 264.71(a)(2) – (a)(2)(v) and introduced new paragraphs 264.71(a)(1) and (a)(3). 264.71(a) was further revised by the final rule addressed by Revision Checklist 231 which redesignated the existing 264.71(a)(2)(v) as (vi) and added a new paragraph 264.71(a)(2)(v). The Revision Checklist 236 final rule completely revised 264.71(a)(3) as 264.71(a)(3) – (a)(3)(ii). Finally, the final rule addressed by Revision Checklist 239 (83 FR 420; January 3, 2018) amended 264.74(a)(2)(iv) and completely revised 264.71(a)(2)(v) as 264.71(a)(2)(v) – (a)(2)(v)(B).**
- 17 **The Revision Checklist 239 final rule republished the 264.71(a)(2), (a)(2)(ii), (a)(2)(iii) and (a)(2)(vi) provisions in the FR notice without making any changes.**
- 18 **States must not change the language in the following provisions: 264.71(a)(2)(v) – (a)(2)(v)(B) and 264.71(l).**
- 19 **The final rule addressed by Revision Checklist 237 (81 FR 85732; November 28, 2016) also removed the comment following 264.71(c).**
- 20 **States cannot receive authorization for 262.25. Therefore, at 264.71(f)(1) and 264.71(k)(1), states should either retain the reference to 262.25(a), or ensure that in their adoption of 262.25, they leave the authority with EPA.**
- 21 **The Revision Checklist 239 final rule revised and redesignated the existing 264.71(j) as 264.71(j)(1) and added a new 264.71(j)(2).**



CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

---

- 22 States which adopt 264.71(j) provisions with explicit references to specific 40 CFR part 264 subpart FF provisions do not need to adopt the detailed part 264 subpart FF fee provisions: States which adopt subpart FF in their regulations must not change any language in their analogs to the subpart. Also note that states cannot receive authorization for the user fee provision at 264.71(j)(1), but should adopt it while retaining the term “EPA”.**
- 23 Revision Checklist 207 (70 FR 10776, March 4, 2005) made significant structural changes to 264.72 including (1) designating the first sentence of 265.72(a) as 265.72(a) and (a)(1); (2) relocating and revising the second sentence of 264.72(a) and (a)(1) as 264.72(b); (3) introducing new provisions at 264.72(a)(2) & (a)(3); and (4) revising and redesignating the existing 264.72(b) as (c).**
- 24 This requirement was moved from 264.75(h) to 264.75(j) by Revision Checklist 30.
- 25 The final rule addressed by Revision Checklist 207 (70 FR 35034; March 4, 2005) redesignated 264.76 intro. as 264.76 (a), redesignated the existing (a) through (g) as (a)(1) through (a)(7), and added the reserved provision at 264.76(b).**
- 26 Checklist IV A shows this text as 264.77(c), but the July 1, 1983 and subsequent CFRs show it as 264.77(b).
- 27 This paragraph was completely revised by Revision Checklist 17 I.
- 28 In Checklist IV A, this text was included in 264.90(b)(2).
- 29 Revision Checklist 55 moved text from 264.97(g)(3) to 264.97(a)(1)(i).
- 30 Revision Checklist 55 moved this text from 264.98(g) to 264.98(f).
- 31 Original 264.98(g) text from Checklist IV A was moved to 264.98(f) by Revision Checklist 55. The present 264.98(g) is a revised version of 264.98(h) as found in Checklist IV A. Checklist 55 made this change. Subparagraph 264.98(g)(6) was added by this checklist as well.
- 32 There is a typographical error in the Federal code for this subparagraph: “concentration or any” should be “concentration of any.”
- 33 In Checklist IV A, this paragraph was designated 264.98(j). Revision Checklist 55 redesignated it as 264.98(h) and moved the former (h), as introduced by Checklist IV A, to 264.98(g).
- 34 Checklist IV A originally introduced 264.99(c)-(l) into the Federal code as part of the base program. The July 9, 1987 final rule addressed by Revision Checklist 40 (52 FR 25942) subsequently revised paragraph (f). The October 11, 1988 final rule addressed by Revision Checklist 55 (53 FR 39720) revised paragraphs (c) and (d). It removed the introductory text at (h) while redesignating a revised (h)(1) and (h)(2) as (d)(1) and (d)(2). The rule inserted a new (f) and then revised and redesignated the old (f) as (g). It removed the original (g) introduced as part of the base program. The rule then redesignated the original (i) through (k) as (h) through (j) and revised the newly designated paragraphs (h) and (i). It removed paragraph (l).
- 35 These paragraphs were originally 264.100(e)(1) and 264.100(e)(2), but Revision Checklist 44 B redesignated them as 264.100(e)(3) and 264.100(e)(4).
- 36 The October 22, 1998 rule (63 FR 56710; Revision Checklist 174) contains a typographical error. The internal reference to “264.110(d)” should be to “264.110(c)”.
- 37 Citations within the double lines are optional, but if a State chooses to modify its program to adopt requirements equivalent to these provisions, it must adopt such requirements as a unit rather than by individual provision. In other

CONSOLIDATED CHECKLIST C5  
40 CFR Part 264, Subparts A-G, as of June 30, 2018 (cont'd)

---

words, all or none of these provisions must be included in a State's code. Subsequent changes to these provisions may or may not be optional for States that have chosen to adopt the optional unit of provisions. An optional sign appears in front of the subsequent revision checklist number(s) if such subsequent changes are less stringent than or reduce the scope of the unit's requirements.

- 38 Revision Checklist 64 redesignated a portion of 264.112(d)(2), introduced into the code by Revision Checklist 24, as 264.112(d)(2)(i).
- 39 Section 264.113 was erroneously designated as optional by the May 2, 1986 rule (51 FR 16422). The June 26, 1990 amendment (55 FR 25976) corrected this error.
- 40 Note the Federal Register addressed by Revision Checklist 52 (53 FR 34079; September 2, 1988) incorrectly omits the changes to 264.114 made by Revision Checklist 45 at 53 FR 46946 (December 10, 1987). This error is reflected in the CFR beginning with the July 1, 1997 edition.
- 41 There is a typographical error in the Federal Register for Revision Checklist 213 (71 FR 16862; April 4, 2006): in the amended language for §264.115 in the third column of page 16904 “in the approved closure plan..” should be “in the approved closure plan.”; there should not be two periods at the end of the first sentence. This error was corrected by the final rule that is addressed by Revision Checklist 214 (71 FR 40254; July 14, 2006).**
- 42 Revision Checklist 24 moved text from 264.118(a)(1)-(3) in Checklist IV A to 264.118(b)(1)-(3).
- 43 Part of the current text in 264.118(c) was introduced by Revision Checklist 24 while the remainder reflects the content of portions of 264.118(b)(3) in the base program.
- 44 Most of 264.118(d), including all subparagraphs, is code introduced by Checklist 24. The introductory paragraph of 264.118(d), however, corresponds roughly to 264.118(c) in Checklist IV A.
- 45 Revision Checklist 24 extensively revised 264.119 as per Checklist IV A, including a new section title. The original code contained no subparagraphs.
- 46 Text from 264.120(a) in Checklist IV A was moved to 264.119(b)(1) and (b)(1)(i)-(iii) by Revision Checklist 24.
- 47 Text from 264.120(b) in Checklist IV A was moved to 264.119(c) by Revision Checklist 24.
- 48 The current text of 264.120 was introduced by Revision Checklist 24 whereas the original text of 264.120, as per Checklist IV A, was moved to 264.119(b) and (c) by Checklist 24.