

CONSOLIDATED CHECKLIST C9

EPA Administered Permit Programs: The Hazardous Waste Permit Program; Procedures for Decision Making
40 CFR Parts 270 and 124 as of **December 31, 2002**

Notes:

1) States need not use a two-part permit application process. The State application process must, however, require information in sufficient detail to satisfy the requirements of §§ 270.13 through 270.29.

2) Note that this checklist uses "@", "#", and "U" in the left margin as special footnoting symbols. These symbols are defined at the end of this checklist.

3) This Consolidated Checklist corresponds to the 40 CFR Part 270 and 124, published on July 1, 2002, and as amended by the following final rules: 67 FR 77692, December 19, 2002 (Revision Checklist 202)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM							
SUBPART A - GENERAL INFORMATION							
1 PURPOSE AND SCOPE OF THESE REGULATIONS							
o/o permit and post-closure permit requirements	V, 44 G, †61,174	270.1(c)					
facilities for which RCRA permits are required	V	270.1(c)(1)					
		270.1(c)(1)(i)					
		270.1(c)(1)(ii)					
		270.1(c)(1)(iii)					
†,2,3 persons not required to obtain a RCRA permit	V	270.1(c)(2)					
	V,23	270.1(c)(2)(i)					
	V,48	270.1(c)(2)(ii)					
	V	270.1(c)(2)(iii)					
		270.1(c)(2)(iv)					
		270.1(c)(2)(v)					
		270.1(c)(2)(vi)					
		270.1(c)(2)(vii)					

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40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
	142 A	270.1(c)(2)(viii)					
	142 B	270.1(c)(2)(viii)(A)					
	142 C, †181	270.1(c)(2)(viii)(B)					
	142 D, †181	270.1(c)(2)(viii)(C)					
	†181	270.1(c)(2)(viii)(D)					
†	V further exclusions from RCRA permit requirements	270.1(c)(3)(i)					
		270.1(c)(3)(i)(A)					
		270.1(c)(3)(i)(B)					
		270.1(c)(3)(i)(C)					
		156	270.1(c)(3)(i)(D)				
		V	270.1(c)(3)(ii)				
		156	270.1(c)(3)(iii)				
†	permits for less than an entire facility	V 270.1(c)(4)					
	post-closure permit unless closure by removal or decontamination; how demonstration may be made:	44 G 270.1(c)(5)					
		270.1(c)(5)(i)					
		†44 G 270.1(c)(5)(ii)					
		270.1(c)(5)(ii)(A)					
		270.1(c)(5)(ii)(B)					
	procedures for closure equivalency determination; public hearing; written statement if closure fails standards; subject to post-closure permitting requirements	44 G 270.1(c)(6)(i)					
		270.1(c)(6)(ii)					
		270.1(c)(6)(iii)					

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enforceable documents for post-closure care; at Regional Administrator's discretion, owner/operator may obtain enforceable document imposing 265.121 requirements in lieu of post-closure permit; definition of enforceable document	174	270.1(c)(7)					

DEFINITIONS

4	applicability to Parts 270, 271 and 124	*	270.2(intro)				
	"Administrator"	*	270.2				
	"application"	*	270.2				
	"aquifer"	*	270.2				
	"closure"	*	270.2				
†	"component"	54	270.2				
†	"corrective action management unit"	121	270.2				
	"CWA"	*	270.2				
	"Director"	*	270.2				
	"disposal"	*	270.2				
	"disposal facility"	*,†121	270.2				
	"draft permit"	*	270.2				
	"elementary neutralization unit"	*,52	270.2				
			270.2(a)				
			270.2(b)				
	"emergency permit"	*	270.2				
	"Environmental Protection Agency (EPA)"	*	270.2				

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"EPA"	*	270.2					
"existing hazardous waste management (HWM) facility or existing facility"	*	270.2					
		270.2(a)					
		270.2(b)(1)					
		270.2(b)(2)					
† "facility mailing list"	54,148	270.2					
"facility or activity"	*	270.2					
"Federal, State and local approvals or permits necessary to begin physical construction"	*	270.2					
† "functionally equivalent component"	54	270.2					
"generator"	*	270.2					
"ground water"	*	270.2					
"hazardous waste"	*	270.2					
"Hazardous Waste Management facility"	*	270.2					
"HWM facility"	*	270.2					
"injection well"	*	270.2					
"in operation"	*	270.2					
"interim authorization"	*,144	270.2					
"major facility"	*	270.2					
"manifest"	*	270.2					
"National Pollutant Discharge Elimination System"	*	270.2					
"NPDES"	*	270.2					
"new HWM facility"	*	270.2					
"off-site"	*	270.2					

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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
"on-site"	*	270.2					
"owner or operator"	*	270.2					
"permit"	*	270.2					
"permit-by-rule"	*	270.2					
"person"	*	270.2					
"physical construction"	*	270.2					
"POTW"	*	270.2					
"publicly owned treatment works"	*	270.2					
"RCRA"	*	270.2					
"Regional Administrator"	*	270.2					
† "Remedial Action Plan (RAP)"	175	270.2					
"schedule of compliance"	*	270.2					
"SDWA"	*	270.2					
"site"	*	270.2					
"State"	*	270.2					
"State Director"	*	270.2					
"State/EPA Agreement"	*	270.2					
"storage"	*	270.2					
"transfer facility"	*	270.2					
"transporter"	*	270.2					
"treatment"	*	270.2					
"UIC"	*	270.2					
"underground injection"	*	270.2					
"underground source of drinking water (USDW)"	*	270.2					
		270.2(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
		270.2(a)(2)					
		270.2(a)(2)(i)					
		270.2(a)(2)(ii)					
		270.2(b)					
"USDW"	*	270.2					
"wastewater treatment unit"	*,52	270.2					
		270.2(a)					
		270.2(b)					
		270.2(c)					

EFFECT OF A PERMIT

5, effects of compliance with RCRA permit	V,44 E,†54,100	270.4(a)					
		270.4(a)(1)					
	V,44 E,†54,100,154	270.4(a)(2)					
		100,154	270.4(a)(3)				
		154	270.4(a)(4)				
property rights or exclusive privilege not conveyed by permit	V	270.4(b)					
# permit does not authorize injury/infringement	*	270.4(c)					

NONCOMPLIANCE AND PROGRAM REPORTING BY THE DIRECTOR

preparation and submittal of reports by Director	V	270.5					
quarterly reports for major facilities	V	270.5(a)					
format of quarterly reports	V	270.5(a)(1)					
		270.5(a)(1)(i)					
		270.5(a)(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
		270.5(a)(1)(iii)					
		270.5(a)(1)(iii)(A)					
		270.5(a)(1)(iii)(B)					
		270.5(a)(1)(iii)(C)					
		270.5(a)(1)(iii)(D)					
		270.5(a)(1)(iii)(E)					
@ instances of noncompliance to be reported in quarterly reports	V	270.5(a)(2)					
		270.5(a)(2)(i)					
		270.5(a)(2)(ii)					
		270.5(a)(2)(iii)					
		270.5(a)(2)(iv)					
		270.5(a)(2)(v)					
		270.5(a)(2)(v)(A)					
		270.5(a)(2)(v)(B)					
		270.5(a)(2)(v)(C)					
		270.5(a)(2)(vi)					
@ annual reports	V	270.5(b)(1)					
	V,†1	270.5(b)(2)					
@ schedule	V	270.5(c)					

REFERENCES

publications incorporated by reference	*,11,35,126	270.6(a)					
available at Office of the <u>Federal Register</u> ; approved by director; incorporation and changes	*	270.6(b)					

SUBPART B - PERMIT APPLICATION

GENERAL APPLICATION REQUIREMENTS

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40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
permit application	V,17 P,†17 Q	270.10(a)					
who applies/signs	V	270.10(b)					
@ completeness	V,17 P,†17 S,†61	270.10(c)					
information requirements	V	270.10(d)					
when existing HWM facilities must submit Part A of their permit application	V,†17 P	270.10(e)(1)					
	V	270.10(e)(1)(i)					
		270.10(e)(1)(ii)					
	23	270.10(e)(1)(iii)					
extension of Part A due date using <u>Federal Register</u>	V	270.10(e)(2)					
Part A due date extension using RCRA 3008 compliance order	V	270.10(e)(3)					
submission of Part B	V,17 P,144	270.10(e)(4)					
failure to furnish a Part B	V	270.10(e)(5)					
6 permits for new HWM facilities	V,17 M	270.10(f)(1)					
	V,144	270.10(f)(2)					
	V,17 M,†17 M	270.10(f)(3)					
updating permit applications	V,144	270.10(g)(1)					
	V,144	270.10(g)(1)(i)					
	V,144	270.10(g)(1)(ii)					
	V,144	270.10(g)(1)(iii)					
	V	270.10(g)(2)					
permit reapplications	V	270.10(h)					

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40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
record keeping	V	270.10(i)					
exposure information must be included in Part B application after August 8, 1985	17 S	270.10(j)(1)					
		270.10(j)(1)(i)					
		270.10(j)(1)(ii)					
		270.10(j)(1)(iii)					
		270.10(j)(2)					
information for permit conditions	44 F	270.10(k)					

SIGNATORIES TO PERMIT APPLICATIONS AND REPORTS

who should sign permit applications	V	270.11(a)					
	V,†2	270.11(a)(1)					
		270.11(a)(1)(i)					
		270.11(a)(1)(ii)					
	V	270.11(a)(2)					
	V,†2	270.11(a)(3)					
		270.11(a)(3)(i)					
		270.11(a)(3)(ii)					
	who should sign reports	V	270.11(b)				
270.11(b)(1)							
270.11(b)(2)							
270.11(b)(3)							
changes to authorization	V	270.11(c)					
7,8 certification by signatories	V,†2,†175	270.11(d)(1)					
† RAPs under 270 subpart H, owner may make the certification at 270.11(d)(2) instead of 270.11(d)(1); certification statement	175	270.11(d)(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
CONFIDENTIALITY OF INFORMATION							
# confidential business information claims	*	270.12(a)					
@ denial of claims	V	270.12(b)					
9 CONTENTS OF PART A OF THE PERMIT APPLICATION							
information which must be included in Part A of the permit application	*	270.13					
		270.13(a)					
	#	V	270.13(b)				
		*	270.13(c)				
	#		270.13(d)				
	#	V	270.13(e)				
		*	270.13(f)				
	#	V	270.13(g)				
			270.13(h)				
			270.13(h)(1)&(2)				
			270.13(i)				
			270.13(j)				
			270.13(k)				
			270.13(k)(1)-(9)				
			270.13(l)				
#	*	270.13(m)					
#							

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40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for hazardous debris; description of debris category(ies) and contaminant category(ies) to be treated, stored or disposed of at facility	109	270.13(n)					

9 CONTENTS OF PART B: GENERAL REQUIREMENTS

# general information requirements; specific requirements as in 270.14-270.29; compliance with Part 264 standards; case-by-case allowances; 270.11 requirements; registered professional engineer certification	*,175	270.14(a)					
general information required for all HWM facilities:	V	270.14(b)					
general facility description	V	270.14(b)(1)					
chemical and physical analyses	V,109	270.14(b)(2)					
copy of waste analysis plan	V	270.14(b)(3)					
description of security procedures and equipment	V	270.14(b)(4)					
10 copy of general inspection schedule	V,28,45,59,79,154,163	270.14(b)(5)					
justification of waiver(s) request for preparedness and prevention	V	270.14(b)(6)					
copy of contingency plan	V,14	270.14(b)(7)					

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40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
description of various procedures, structures or equipment used at the facility to prevent emergencies/hazardous waste releases	V	270.14(b)(8)					
		270.14(b)(8)(i)					
		270.14(b)(8)(ii)					
		270.14(b)(8)(iii)					
	V,79	270.14(b)(8)(iv)					
		270.14(b)(8)(v)					
79	270.14(b)(8)(vi)						
description of precautions to prevent accidental ignition or reaction of wastes	V	270.14(b)(9)					
traffic pattern, volume and control	V	270.14(b)(10)					
facility location information; seismic standard; political jurisdiction	V	270.14(b)(11)(i)					
demonstration of compliance with the seismic standard; information to be submitted, what it must show:	V	270.14(b)(11)(ii)					
no displacement in Holocene time; what the information must show	V	270.14(b)(11)(ii)(A)					
		270.14(b)(11)(ii)(A)(1)					
		270.14(b)(11)(ii)(A)(2)					
		270.14(b)(11)(ii)(A)(3)					
		270.14(b)(11)(ii)(A)(4)					

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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
requirement that no faults pass within 200 feet of treatment, storage, or disposal activities if faults within 3,000 feet of facility have had Holocene displacement	V	270.14(b)(11)(ii)(B)					
100-year flood plain identification requirement	V	270.14(b)(11)(iii)					
information requirements for facilities located in the 100-year flood plain	V	270.14(b)(11)(iv)					
		270.14(b)(11)(iv)(A)					
		270.14(b)(11)(iv)(B)					
		270.14(b)(11)(iv)(C)					
		270.14(b)(11)(iv)(C) (1)					
		270.14(b)(11)(iv)(C) (2)					
		270.14(b)(11)(iv)(C) (3)					
		270.14(b)(11)(iv)(C) (4)					
plan and schedule for compliance with 264.18(b)	V	270.14(b)(11)(v)					
outline of introductory and continuing training programs	V	270.14(b)(12)					
specific inclusion requirements for closure and post-closure plans	V,28,45,59	270.14(b)(13)					
documentation that notices under 264.119 have been filed	V,24	270.14(b)(14)					

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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
most recent closure cost estimate under 264.142; financial assurance documentation under 264.143	V,24	270.14(b)(15)					
most recent closure cost estimate under 264.144; financial assurance documentation under 264.145	V,24	270.14(b)(16)					
copy of insurance policy; compliance with 264.147	V	270.14(b)(17)					
proof of coverage by a State financial mechanism	V	270.14(b)(18)					
topographic map requirements and specifications	V	270.14(b)(19)					
what the topographic map must specifically show	V	270.14(b)(19)(i)					
		270.14(b)(19)(ii)					
		270.14(b)(19)(iii)					
		270.14(b)(19)(iv)					
		270.14(b)(19)(v)					
		270.14(b)(19)(vi)					
		270.14(b)(19)(vii)					
		270.14(b)(19)(viii)					
		270.14(b)(19)(ix)					
		270.14(b)(19)(x)					
		270.14(b)(19)(xi)					
		270.14(b)(19)(xii)					
submittal of information to Regional Administrator as necessary	V	270.14(b)(20)					

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copy of notice of approval for extension under 268.5 or petition under 268.6	34	270.14(b)(21)					
summary of pre-application meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting, as required under 124.31(c)	148	270.14(b)(22)					
additional information requirements for protection of groundwater	V,44 A	270.14(c)					
summary of groundwater monitoring data	V	270.14(c)(1)					
identification of aquifers	V	270.14(c)(2)					
additional topographic map requirements	V	270.14(c)(3)					
description of contamination plume that has entered ground water	V	270.14(c)(4)					
plume delineated on topographic map	V	270.14(c)(4)(i)					
identification of Part 264, Appendix IX constituents	V,40	270.14(c)(4)(ii)					
description of proposed groundwater monitoring program	V	270.14(c)(5)					
establish a detection monitoring program to meet 264.98 requirements	V	270.14(c)(6)					
		270.14(c)(6)(i)					
		270.14(c)(6)(ii)					

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		270.14(c)(6)(iii)					
		270.14(c)(6)(iv)					
11 establish a compliance monitoring program to meet 264.99 requirements	V,38	270.14(c)(7)					
items to be addressed to demonstrate compliance with 264.99	V	270.14(c)(7)(i)					
		270.14(c)(7)(ii)					
		270.14(c)(7)(iii)					
		270.14(c)(7)(iv)					
		270.14(c)(7)(v)					
		270.14(c)(7)(vi)					
if hazardous constituents in ground water exceed 264.94 limits, additional information to establish corrective action program; when information is not required	V	270.14(c)(8)					
		270.14(c)(8)(i)					
		270.14(c)(8)(ii)					
		270.14(c)(8)(iii)					
		270.14(c)(8)(iv)					
	V,38	270.14(c)(8)(v)					
information required for solid waste management units	44 A	270.14(d)					
		270.14(d)(1)					
		270.14(d)(1)(i)					
		270.14(d)(1)(ii)					
		270.14(d)(1)(iii)					
		270.14(d)(1)(iv)					
		270.14(d)(1)(v)					
hazardous waste release information	44 A	270.14(d)(2)					
RCRA Facility Assessment information	44 A	270.14(d)(3)					

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SPECIFIC PART B INFORMATION REQUIREMENTS FOR CONTAINERS							
additional information requirements	V	270.15					
what containment system description must show for compliance with 264.175	V	270.15(a)					
		270.15(a)(1)					
		270.15(a)(2)					
		270.15(a)(3)					
		270.15(a)(4)					
		270.15(a)(5)					
if no free liquids, what demonstration of compliance with 264.175(c) must include	V	270.15(b)					
		270.15(b)(1)					
		270.15(b)(2)					
compliance with 264.176 and 264.177(c)	V	270.15(c)					
compliance with 264.177(a)&(b) and 264.17(b)&(c)	V	270.15(d)					
information on air emission control equipment as required in 270.27	154	270.15(e)					
SPECIFIC PART B INFORMATION REQUIREMENTS FOR TANK SYSTEMS							
information facility owners/operators using tanks must provide	V,28	270.16					
written, certified assessment of each tank system	V,28	270.16(a)					
dimensions and capacity of each tank	V,28	270.16(b)					
description of feed systems, safety cutoff bypass systems, and pressure controls	V,28	270.16(c)					

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diagram of piping, instrumentation, and process flow for each tank system	V,28	270.16(d)					
description of external corrosion protection	V,28	270.16(e)					
description of new tank installation	V,28	270.16(f)					
plans and description of secondary containment systems	14,28	270.16(g)					
information requirements for systems for which a variance from 264.193 will be sought	28	270.16(h)					
		270.16(h)(1)					
		270.16(h)(2)					
description of controls and practices to prevent spills and overflows	28	270.16(i)					
description of design and operation of tank systems handling ignitable, reactive, or incompatible wastes	28	270.16(j)					
information on air emission control equipment as required in 270.27	154	270.16(k)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR SURFACE IMPOUNDMENTS

information required from facility owner/operator using surface impoundments:	V	270.17					
list of hazardous wastes	V	270.17(a)					
12 detailed plans and an engineering report; 264.19, 264.221, 264.222, and 264.223	V,100	270.17(b)					
	V	270.17(b)(1)					
	100	270.17(b)(2)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
items which must be addressed		270.17(b)(3)					
		270.17(b)(4)					
		270.17(b)(5)					
	V,100	270.17(b)(6)					
		270.17(b)(7)					
13 description of inspections	V,100	270.17(c)					
13 certification by qualified engineer regarding structural integrity of each dike	V	270.17(d)					
13 description of procedures for removal from service	V	270.17(e)					
13 description of residue and contaminated material removal procedures or compliance with 264.228(a)(2)&(b)	V	270.17(f)					
13 ignitable or reactive wastes, compliance with 264.229	V	270.17(g)					
13 incompatible wastes, compliance with 264.230	V	270.17(h)					
13 waste management plan for F020, F021, F022, F023, F026 and F027 wastes	14	270.17(i)					
		270.17(i)(1)					
		270.17(i)(2)					
		270.17(i)(3)					
		270.17(i)(4)					
information on air emission control equipment as required in 270.27	154	270.17(j)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:				
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE	
SPECIFIC PART B INFORMATION REQUIREMENTS FOR WASTE PILES								
additional information requirements for facility owners/operators using waste piles for hazardous wastes	V	270.18						
list of hazardous wastes placed or to be placed in waste pile	V	270.18(a)						
14 requirements if exemption is sought	V	270.18(b)						
15 detailed plans and an engineering report; 264.19, 264.251, 264.252, and 264.253 items which must be addressed	V,100	270.18(c)						
		270.18(c)(1)(i)						
	100	270.18(c)(1)(ii)						
		270.18(c)(1)(iii)						
		270.18(c)(1)(iv)						
		270.18(c)(1)(v)						
	V	270.18(c)(2)						
		270.18(c)(3)						
		270.18(c)(4)						
		270.18(c)(5)						
16 description of inspections	V,100	270.18(d)						
16 treatment done on or in pile, details of process and equipment used	V	270.18(e)						
16 ignitable or reactive wastes, compliance with 264.256	V	270.18(f)						
16 incompatible wastes, compliance with 264.257	V	270.18(g)						
16 description of removal procedures or compliance with	V	270.18(h)						

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
264.310(a)&(b)							
16 waste management plan for F020, F021, F022, F023, F026 and F027 wastes	14	270.18(i)					
		270.18(i)(1)					
		270.18(i)(2)					
		270.18(i)(3)					
		270.18(i)(4)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR INCINERATORS

17,18 incinerators of hazardous waste must meet 270.19(a),(b)&(c), except as 264.340 and 270.19(e) provide otherwise	V,†182	270.19 intro					
requirements when seeking an exemption under 264.340(b) or (c)	V	270.19(a)					
		270.19(a)(1)					
		270.19(a)(2)					
		270.19(a)(3)					
		270.19(a)(4)					
trial burn in accordance with 270.62	V	270.19(b)					
requirements in lieu of a trial burn; submit specified information:	V	270.19(c)					
analysis of each waste or mixture of wastes	V	270.19(c)(1)					
		270.19(c)(1)(i)					
		270.19(c)(1)(ii)					
	V,126	270.19(c)(1)(iii)					
		270.19(c)(1)(iv)					
V	270.19(c)(1)(v)						
detailed engineering description of incinerator	V	270.19(c)(2)					
		270.19(c)(2)(i)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.19(c)(2)(ii)					
		270.19(c)(2)(iii)					
		270.19(c)(2)(iv)					
		270.19(c)(2)(v)					
		270.19(c)(2)(vi)					
		270.19(c)(2)(vii)					
		270.19(c)(2)(viii)					
		270.19(c)(2)(ix)					
		270.19(c)(2)(x)					
comparison of waste data; what data must include	V	270.19(c)(3)					
comparison of design and operating conditions	V	270.19(c)(4)					
results from previously conducted trial burn(s)	V	270.19(c)(5)					
		270.19(c)(5)(i)					
		270.19(c)(5)(ii)					
expected incinerator operation information to demonstrate compliance with 264.343 and 264.345	V	270.19(c)(6)					
		270.19(c)(6)(i)					
		270.19(c)(6)(ii)					
		270.19(c)(6)(iii)					
		270.19(c)(6)(iv)					
		270.19(c)(6)(v)					
		270.19(c)(6)(vi)					
		270.19(c)(6)(vii)					
		270.19(c)(6)(viii)					
		270.19(c)(6)(ix)					
supplemental information, as Director	V	270.19(c)(7)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
finds necessary							
waste analysis data	V	270.19(c)(8)					
approval of permit application without a trial burn	V	270.19(d)					
		270.19(d)(1)					
		270.19(d)(2)					
†,17 when compliance with air emission standards & limitations demonstrated, 270.19 does not apply; except provisions determined necessary to compliance with 264.345(a) & (c) if you elect to comply with 270.235(a)(1)(i) to minimize emissions from startup, shutdown, and malfunction events; Director may apply 270.19 on case-by-case basis for information collection	182, 197, 202	270.19(e)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR LAND TREATMENT FACILITIES

additional information requirements for facilities that use land treatment	V	270.20					
description of plans for treatment demonstration	V	270.20(a)					
wastes and potential hazardous constituents	V	270.20(a)(1)					
data sources to be used	V	270.20(a)(2)					
information related to specific laboratory or field tests	V	270.20(a)(3)					
		270.20(a)(3)(i)					
		270.20(a)(3)(ii)					
		270.20(a)(3)(iii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.20(a)(3)(iv)					
description of land treatment program required under 264.271	V	270.20(b)					
wastes to be land treated	V	270.20(b)(1)					
design measures and operating practices necessary to maximize treatment	V	270.20(b)(2)					
		270.20(b)(2)(i)					
		270.20(b)(2)(ii)					
		270.20(b)(2)(iii)					
		270.20(b)(2)(iv)					
provisions for unsaturated zone monitoring	V	270.20(b)(3)					
		270.20(b)(3)(i)					
		270.20(b)(3)(ii)					
		270.20(b)(3)(iii)					
		270.20(b)(3)(iv)					
		270.20(b)(3)(v)					
		270.20(b)(3)(vi)					
		270.20(b)(3)(vii)					
list of hazardous constituents expected to be in or derived from wastes land treated	V	270.20(b)(4)					
proposed dimensions of treatment zone	V	270.20(b)(5)					
description of how unit will meet 264.273 requirements; what submission must address	V	270.20(c)					
		270.20(c)(1)					
		270.20(c)(2)					
		270.20(c)(3)					
		270.20(c)(4)					
		270.20(c)(5)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.20(c)(6)					
food-chain crops and description of how required 264.276(a) demonstration will be conducted	V	270.20(d)					
		270.20(d)(1)					
		270.20(d)(2)					
		270.20(d)(3)					
		270.20(d)(4)					
presence of cadmium	V	270.20(e)					
vegetative cover and maintenance plan during post-closure	V	270.20(f)					
ignitable or reactive wastes; meeting 264.281	V	270.20(g)					
incompatible wastes; meeting 264.282;	V	270.20(h)					
waste management plan for F020, F021, F022, F023, F026 and F027 wastes	14	270.20(i)					
		270.20(i)(1)					
		270.20(i)(2)					
		270.20(i)(3)					
		270.20(i)(4)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR LANDFILLS

additional information requirements for facilities using landfills	V	270.21					
list of hazardous wastes to be placed in each landfill or landfill cell	V	270.21(a)					
19 detailed plans and engineering report for landfill; 264.19, 264.301, 264.302, and 264.303 items which must be addressed	V,100	270.21(b)					
		270.21(b)(1)(i)					
	100	270.21(b)(1)(ii)					
		270.21(b)(1)(iii)					
		270.21(b)(1)(iv)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.21(b)(1)(v)					
	V	270.21(b)(2)					
		270.21(b)(3)					
		270.21(b)(4)					
		270.21(b)(5)					
20 if exemption from Subpart F, Part 264, then detailed plan and engineering report explaining specifically listed items		V	270.21(c)				
20 description of inspections	V,100	270.21(d)					
description of cover and maintenance procedures during post closure; closure/post-closure plans	V	270.21(e)					
ignitable or reactive wastes, meeting 264.312	V	270.21(f)					
incompatible wastes meeting 264.313	V	270.21(g)					
liquid waste or wastes containing free liquids prior to May 8, 1985; meeting 264.314(a)	V,17 F	270.21(h)					
containers of hazardous waste, meeting 264.315 or 264.316	V	270.21(i)					
waste management plan for F020, F021, F022, F023, F026, and F027	14	270.21(j)					
		270.21(j)(1)					
		270.21(j)(2)					
		270.21(j)(3)					
		270.21(j)(4)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
21 SPECIFIC PART B INFORMATION REQUIREMENTS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE							
†,22 when cement or lightweight aggregate kiln complies with air emission standards & limitations in part 63, subpart EEE, 270.22 requirements do not apply; except provisions determined necessary to compliance with 266.102(e)(1) and 266.102(e)(2)(iii) if you elect to comply with 270.235(a)(1)(i) to minimize emissions from startup, shutdown, and malfunction; Director may apply 270.22 on case-by-case basis for information collection	182, 197, 202	270.22 intro					
owners and operators subject to 266.104-266.107 must conduct a trial burn and must submit a trial burn plan or results in accordance with 270.66	85	270.22(a)(1)					
waiver of trial burn to demonstrate conformance with a particular emission standard under 266.104-266.107 and 270.22(a)(2)-(a)(5)	85	270.22(a)(1)(i)					
data in lieu of a trial burn as 270.22(a)(6) specifies	85	270.22(a)(1)(ii)					
boiler owners and operators seeking to be permitted under	85	270.22(a)(2)(i)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
266.104(a)(4) and 266.110 must submit documentation showing boiler compliance with special operating requirements at 266.110; trial burn waived							
information that must be submitted for boilers and industrial furnaces seeking to be permitted under the low risk waste provisions of 266.104(a)(5) and 266.109(a) without a trial burn	85	270.22(a)(2)(ii)					
		270.22(a)(2)(ii)(A)					
	85,94	270.22(a)(2)(ii)(B)					
		270.22(a)(2)(ii)(C)					
	85	270.22(a)(2)(ii)(D)					
		270.22(a)(2)(ii)(E)					
information that must be submitted when seeking to be permitted under Tier I metals feed rate screening limits at 266.106(b)&(e) without a trial burn	85	270.22(a)(3)					
		270.22(a)(3)(i)					
		270.22(a)(3)(ii)					
		270.22(a)(3)(iii)					
		270.22(a)(3)(iv)					
		270.22(a)(3)(v)					
		270.22(a)(3)(vi)					
		270.22(a)(3)(vii)					
when seeking to be permitted under the low risk waste provisions of 266.109(b) which waives the particulate standard, submit documentation supporting 270.22(a)(2)(ii) and (a)(3) conformance	85	270.22(a)(4)					
information to be submitted when seeking to be permitted under Tier I feed rate screening	85	270.22(a)(5)					
		270.22(a)(5)(i)					
		270.22(a)(5)(ii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
limits for total chloride and chlorine under 266.107(b)(1) and (e) provisions without a trial burn		270.22(a)(5)(iii)					
		270.22(a)(5)(iv)					
		270.22(a)(5)(v)					
		270.22(a)(5)(vi)					
		85,94	270.22(a)(5)(vii)				
owner or operator may seek exemption from trial burn requirements demonstrating 266.104-266.107 and 270.66 conformance by providing information from previous compliance testing of the device or compliance testing or trial burns of similar boilers or industrial furnaces; burning similar wastes under similar conditions 270.66 design and operation information required; conditions under which Director shall approve a permit application in lieu of a trial burn; additional information to be submitted	85,94	270.22(a)(6)					
for a waiver from any trial burn:	85	270.22(a)(6)(i)					
		270.22(a)(6)(i)(A)					
		270.22(a)(6)(i)(B)					
		270.22(a)(6)(i)(C)					
for a waiver of the DRE trial burn, basis for selection of POHCs used in other burns which demonstrate 266.104(a) compliance; analysis should specify 261,	85	270.22(a)(6)(ii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Appendix VIII constituents in hazardous waste for which a permit is sought and any differences from POHCs for which data are provided							
minimum information to be submitted for industrial furnaces with organic matter in raw materials requesting an alternative HC limit under 266.104(f)	85,94	270.22(b)					
		270.22(b)(1)					
	85	270.22(b)(2)					
		270.22(b)(3)					
		270.22(b)(4)					
		270.22(b)(4)(i)					
		270.22(b)(4)(ii)					
		270.22(b)(5)					
270.22(b)(6)							
when seeking to be permitted under 266.106(f) alternative metals implementation approach, submit documentation that ensures 266.106(c) or (d) compliance and how approach can be implemented and monitored; provide other information as Director finds necessary	85	270.22(c)					
describe automatic waste feed cutoff system, including any pre-alarm systems	85	270.22(d)					
use of direct transfer operations requires submittal of information supporting 266.111 conformance	85	270.22(e)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
demonstration of 266.112 conformance if claim is made that residues are excluded from regulation	85	270.22(f)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR MISCELLANEOUS UNITS

additional information for facilities using miscellaneous units	45	270.23					
detailed description of unit	45	270.23(a)					
		270.23(a)(1)					
		270.23(a)(2)					
		270.23(a)(3)					
hydrologic, geologic, and meteorologic assessments and land use maps for addressing and meeting environmental performance standards	45	270.23(b)					
potential exposure pathways	45	270.23(c)					
effectiveness of treatment	45	270.23(d)					
additional information, as determined by Director	45	270.23(e)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR PROCESS VENTS

additional information that must be provided by owners and operators of facilities that have process vents to which Subpart AA of Part 264 applies, except as provided in 264.1	79	270.24					
implementation schedule as specified in 264.1033(a)(2) for	79	270.24(a)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
facilities that cannot install a closed-vent system and control device to comply with Part 264 Subpart AA provisions on the effective date the facility becomes subject to Part 264 or Part 265 Subpart AA provisions							
documentation of compliance with process vent standards in 264.1032 including:	79	270.24(b)					
information and data identifying all affected process vents and specific information for each vent	79	270.24(b)(1)					
information and data supporting estimates of vent emissions and emission reductions; estimates made using parameter values representing highest load or capacity level conditions	79	270.24(b)(2)					
information and data for determining if a process vent is subject to 264.1032 requirements	79	270.24(b)(3)					
a performance test plan as specified in 264.1035(b)(3) if applying to use certain control devices and using test data to determine efficiency or concentration	79	270.24(c)					
documentation of compliance with 264.1033 including:	79	270.24(d)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
references and sources used in preparing documentation	79	270.24(d)(1)					
records including dates of each compliance test required by 264.1033(k)	79,87	270.24(d)(2)					
design analysis and other documents that present basic control device design information; design analysis addresses vent stream characteristics and control device operation parameters as specified in 264.1035(b)(4)(iii)	79	270.24(d)(3)					
certification statement signed and dated by owner or operator regarding operating parameters used in design analysis	79	270.24(d)(4)					
certification statement signed and dated by owner or operator regarding control device meeting efficiency design specifications	79	270.24(d)(5)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR EQUIPMENT

additional information that must be provided by owners and operators of facilities that have equipment to which Subpart BB of Part 264 applies, except as provided in 264.1	79	270.25					
for each piece of equipment to which Subpart BB of Part 264 applies:	79	270.25(a)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
equipment identification number and hazardous waste management unit identification	79	270.25(a)(1)					
approximate locations within the facility	79	270.25(a)(2)					
type of equipment	79	270.25(a)(3)					
percent by weight total organics in the hazardous waste stream at the equipment	79	270.25(a)(4)					
hazardous waste state at the equipment	79	270.25(a)(5)					
method of compliance with the standard	79	270.25(a)(6)					
implementation schedule as specified in 264.1033(a)(2) for facilities that cannot install a closed-vent system and control device to comply with Part 264 Subpart BB provisions on the effective date the facility becomes subject to Part 264 or Part 265 Subpart BB provisions	79	270.25(b)					
a performance test plan as specified in 264.1035(b)(3) if applying to use certain control devices and using test data to determine or efficiency or concentration	79	270.25(c)					
documentation demonstrating compliance with 264.1052 to 264.1059 equipment standards and	79	270.25(d)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
containing records required under 264.1064; Regional Administrator may request further documentation							
documentation to demonstrate compliance with 264.1060 shall include:	79	270.25(e)					
references and sources used in preparing documentation	79	270.25(e)(1)					
records, including dates, of each compliance test required by 264.1033(j)	79,87	270.25(e)(2)					
design analysis and other documents that present basic control device design information; design analysis addresses vent stream characteristics and control device operation parameters as specified in 264.1035(b)(4)(iii)	79	270.25(e)(3)					
certification statement signed and dated by owner or operator regarding operating parameters used in design analysis	79	270.25(e)(4)					
certification statement signed and dated by owner or operator regarding control device meeting efficiency design specifications	79	270.25(e)(5)					

21 SPECIAL PART B INFORMATION REQUIREMENTS FOR DRIP PADS

additional information to be provided by owners and operators of	82,92	270.26					
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CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
hazardous waste treatment, storage, or disposal facilities that collect, store, or treat hazardous waste on drip pads, except as otherwise provided by 264.1							
list of hazardous wastes placed or to be placed on each drip pad	82,92	270.26(a)					
detailed plans and an engineering report describing how 264.90(b)(2) will be met, if an exemption is sought to Subpart F of Part 264	82,85,92	270.26(b)					
detailed plans and an engineering report describing the design, construction, operation and maintenance of drip pad to meet 264.573 requirements; submission must address 264.571 items	82,92	270.26(c)					
design characteristics of the drip pad	82,92	270.26(c)(1)					
liner system	82,92	270.26(c)(2)					
leakage detection system	82,92	270.26(c)(3)					
practices designed to maintain drip pads	82,92	270.26(c)(4)					
associated collection system	82,92	270.26(c)(5)					
control of run-on to the drip pad	82,92	270.26(c)(6)					
control of run-off from the drip pad	82,92	270.26(c)(7)					
removal intervals and demonstration of	82,92	270.26(c)(8)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sufficiency to prevent overflow							
procedures for cleaning drip pad at least once every seven days; provisions for documentation of date, time and cleaning procedure	82,92	270.26(c)(9)					
operating practices and procedures to minimize tracking of hazardous waste or waste constituents off the drip pad	82,92	270.26(c)(10)					
procedures for ensuring that treated wood from pressure and nonpressure processes is held on the drip pad until drippage has ceased; record keeping practices	82,92	270.26(c)(11)					
provisions for ensuring that collection and holding units for run-on and run-off control systems are emptied or managed as soon as possible after storms to maintain design capacity	82,92	270.26(c)(12)					
if treatment is carried out on the drip pad, details of process equipment used, and the nature and quality of residuals	82,92	270.26(c)(13)					
description of drip pad inspections to meet 264.573 requirements; include in 270.14(b)(5) inspection plan	82,92	270.26(c)(14)					
certification that drip pad design meets 264.573(a)-	82,92	270.26(c)(15)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
(f) requirements							
description of removal procedures at closure under 264.575(a); for waste not removed at closure, submittal of detailed plan and engineering report to describe compliance with 264.310(a) and (b); information should be included in closure plan and, where applicable, 270.14(b)(13) post-closure plan	82,92	270.26(c)(16)					

SPECIFIC PART B INFORMATION REQUIREMENTS FOR AIR EMISSION CONTROLS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

except as in 264.1, owners/operators of tanks, surface impoundments, or containers that use air emission controls in accordance with requirements of 264, Subpart CC, shall provide additional information:	154	270.27(a)					
documentation for each floating roof cover installed on tank subject to 264.1084(d)(1) or (2) that includes information provided by owner/operator or provided by cover manufacturer or vendor describing cover design, and certification that cover meets applicable design specifications as listed in 265.1091(a)	154	270.27(a)(1)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
identification of each container area subject to requirements of 264, Subpart CC and certification that requirements of 270, Subpart B are met	154	270.27(a)(2)					
documentation for each enclosure used to control air pollutant emissions from containers in accordance with 264.1084(d)(5) or 264.1086(e)(1)(ii) that includes records for most recent set of calculations & measurements performed by owner/operator to verify that enclosure meets specification of Procedure T under 40 CFR 52.741, appendix B	154	270.27(a)(3)					
documentation for each floating membrane cover installed on a surface impoundment in accordance with 264.1085(c) that includes information prepared by owner/operator or provided by cover manufacturer or vendor describing cover design, and certification that cover meets specifications of 264.1085(c)(1)	154	270.27(a)(4)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
documentation for each closed-vent system and control device installed in accordance with 264.1087 that includes design and performance information as in 270.24(c)&(d)	154	270.27(a)(5)					
emissions monitoring plan for both Method 21 and control device monitoring methods; information plan shall include	154	270.27(a)(6)					
when owner or operator of facility subject to 265, Subpart CC cannot comply with 264, Subpart CC by date of permit issuance, schedule of implementation required under 265.1082	154	270.27(a)(7)					
for post-closure permits, owner/operator required to only submit information specified in 270.14(b)(1), (4)-(6), (11), (13), (14), (16), (18), and (19), (c), and (d) unless Regional Administrator determines that 270.14, 270.16 - 270.18, 270.20, or 270.21 information is necessary; owner/operator required to submit same information when alternative authority is used in lieu of post-closure permit	174	270.28					

† PERMIT DENIAL

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
director denial of entire permit application or as to active life of hazardous waste facility or unit	61	270.29					

SUBPART C - PERMIT CONDITIONS

CONDITIONS APPLICABLE TO ALL PERMITS

conditions that will be incorporated into all permits	V	270.30					
duty to comply	V	270.30(a)					
duty to reapply	V	270.30(b)					
need to halt or reduce activity not a defense	V	270.30(c)					
event of noncompliance with permit; permittee's responsibilities	V,2	270.30(d)					
proper operation and maintenance	V	270.30(e)					
permit actions	V	270.30(f)					
property rights	V	270.30(g)					
duty to provide information	V	270.30(h)					
inspection and entry	V	270.30(i)					
		270.30(i)(1)					
		270.30(i)(2)					
		270.30(i)(3)					
		270.30(i)(4)					
monitoring and records	V	270.30(j)(1)					
	V,17 D,17 P	270.30(j)(2)					
	V	270.30(j)(3)					
		270.30(j)(3)(i)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.30(j)(3)(ii)					
		270.30(j)(3)(iii)					
		270.30(j)(3)(iv)					
		270.30(j)(3)(v)					
		270.30(j)(3)(vi)					
signatory requirements	V	270.30(k)					
reporting requirements; planned changes to facility	V	270.30(l)(1)					
planned changes resulting in non-compliance with permit; permittee may not treat, store or dispose of hazardous waste until certain specified conditions are met	V,†54	270.30(l)(2)					
	V	270.30(l)(2)(i)					
		270.30(l)(2)(ii)(A)					
		270.30(l)(2)(ii)(B)					
permit not transferable except after notice to Director; what Director may require	V	270.30(l)(3)					
monitoring reports	V	270.30(l)(4)					
submittal of reports no later than 14 days following compliance schedule date	V	270.30(l)(5)					
what permittee must report within 24 hours if noncompliance endangers health or the environment	V	270.30(l)(6)(i)					
		270.30(l)(6)(i)(A)					
		270.30(l)(6)(i)(B)					
		270.30(l)(6)(ii)					
		270.30(l)(6)(ii)(A)-(G)					
		270.30(l)(6)(iii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
submittal of manifest discrepancy report	V	270.30(l)(7)					
submittal of unmanifested waste report	V	270.30(l)(8)					
submittal of biennial report	V,†1	270.30(l)(9)					
submittal of other non-compliance reports	V	270.30(l)(10)					
submittal of other information	V	270.30(l)(11)					
the Director may require the permittee to establish and maintain an information repository at any time, as set forth in 124.33(b); information repository shall be governed by provisions in 124.33(c)-(f)	148	270.30(m)					

REQUIREMENTS FOR RECORDING AND REPORTING OF MONITORING RESULTS

all permits shall specify:	V	270.31					
requirements for monitoring equipment or methods	V	270.31(a)					
required monitoring	V	270.31(b)					
applicable reporting requirements	V	270.31(c)					

ESTABLISHING PERMIT CONDITIONS

@ conditions established on a case-by-case basis	V	270.32(a)					
@ incorporation of applicable requirements of Parts 264 and 266 through 268	V,17 O,34	270.32(b)(1)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
@ terms and conditions considered necessary by Director to protect human health and environment	17 O	270.32(b)(2)					
# what an applicable requirement is	*	270.32(c)					
# incorporation of applicable requirements into new, reissued, modified or revoked and reissued permits	*	270.32(d)					
@ incorporation either expressly or by reference	V	270.32(e)					
† SCHEDULES OF COMPLIANCE							
permit may specify a schedule of compliance	V	270.33(a)					
time for compliance	V	270.33(a)(1)					
interim requirements and dates for achievement	V	270.33(a)(2)					
		270.33(a)(2)(i)					
		270.33(a)(2)(ii)					
reporting within 14 days of scheduled dates	V	270.33(a)(3)					
# permit applicant or permittee may cease activities rather than continue to operate	*	270.33(b)					
decision to cease activities; permit modified or cease before noncompliance with schedule	*	270.33(b)(1)					
		270.33(b)(1)(i)					
		270.33(b)(1)(ii)					
cease activities before issuance of a permit; permit shall contain schedule leading to termination	*	270.33(b)(2)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
two schedules in permit if permittee undecided whether to cease regulated activities	*	270.33(b)(3)					
		270.33(b)(3)(i)					
		270.33(b)(3)(ii)					
		270.33(b)(3)(iii)					
		270.33(b)(3)(iv)					
evidence of firm public commitment	*	270.33(b)(4)					

SUBPART D - CHANGES TO PERMIT

TRANSFER OF PERMITS

transfers if modification	V,†54	270.40(a)					
† Class 1 modifications; requirements of Part 264, Subpart H	54	270.40(b)					

MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS

# cause for modification or revocation and reissuance	*,†54	270.41					
# causes for modification but not for revocation and reissuance unless permittee requests or agrees	*	270.41(a)					
alterations or additions	V	270.41(a)(1)					
information received by Director	V	270.41(a)(2)					
23 new statutory requirements or regulations	V,44 D,†54	270.41(a)(3)					
modification of compliance schedules	V	270.41(a)(4)					
24 when permit reviewed under 270.50(d); Director may modify permit as necessary for	V,17 N,†54	270.41(a)(5)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
compliance							
causes for modification or revocation and reissuance	V	270.41(b)					
		270.41(b)(1)					
		270.41(b)(2)					
facility siting	V	270.41(c)					

†,25 PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

putting into effect Class 1 modifications as listed in 270.42 Appendix I; conditions:	54	270.42(a)(1)					
notification of Director by permittee	54	270.42(a)(1)(i)					
to whom notice of modification must be sent and when	54	270.42(a)(1)(ii)					
rejection of modification by Director	54	270.42(a)(1)(iii)					
modifications requiring prior written approval	54	270.42(a)(2)					
Class 2 procedures instead of Class 1 procedures	54	270.42(a)(3)					
Class 2 modifications as listed in 270.42 Appendix I; what request must include:	54	270.42(b)(1)					
description of exact changes	54	270.42(b)(1)(i)					
identification of Class 2 modification	54	270.42(b)(1)(ii)					
why modification is needed	54	270.42(b)(1)(iii)					
provision of applicable information	54	270.42(b)(1)(iv)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
to whom notice must be sent and when; what notice must include:	54	270.42(b)(2)					
announcement of a 60-day comment period	54	270.42(b)(2)(i)					
announcement of where and when public meeting will be held	54	270.42(b)(2)(ii)					
name and phone number of permittee's contact person	54	270.42(b)(2)(iii)					
name and phone number of Agency contact person	54	270.42(b)(2)(iv)					
location for viewing modification request	54	270.42(b)(2)(v)					
availability of permittee's compliance history	54	270.42(b)(2)(vi)					
placement of modification request copy in vicinity of facility for public access	54	270.42(b)(3)					
when and where permittee must hold a public meeting	54	270.42(b)(4)					
public comment period	54	270.42(b)(5)					
requirements after receipt of modification request:	54	270.42(b)(6)(i)					
approve request, with or without changes	54	270.42(b)(6)(i)(A)					
deny request	54	270.42(b)(6)(i)(B)					
determine if Class 3 modification procedures are needed:	54	270.42(b)(6)(i)(C)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
significant public concern	54	270.42(b)(6)(i)(C)(1)					
complex nature of changes	54	270.42(b)(6)(i)(C)(2)					
approve as temporary authorization	54	270.42(b)(6)(i)(D)					
notify permittee that decision will be made in 30 days	54	270.42(b)(6)(i)(E)					
requirements if decision is extended for 30 days:	54	270.42(b)(6)(ii)					
approve request, with or without changes	54	270.42(b)(6)(ii)(A)					
deny request	54	270.42(b)(6)(ii)(B)					
determine if Class 3 modification procedures are needed	54	270.42(b)(6)(ii)(C)					
significant public concern	54	270.42(b)(6)(ii)(C)(1)					
complex nature of changes	54	270.42(b)(6)(ii)(C)(2)					
approve as temporary authorization	54	270.42(b)(6)(ii)(D)					
temporary or automatic authorization following failure to make decision	54	270.42(b)(6)(iii)					
requirements of permittee under temporary or automatic authorization:	54	270.42(b)(6)(iv)(A)					
temporary authorization to conduct activities as in modification request	54	270.42(b)(6)(iv)(A)(1)					
unless final approval or denial, authorization for life of permit	54	270.42(b)(6)(iv)(A)(2)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
deferment of permanent authorization if failure to notify public	54	270.42(b)(6)(iv)(B)					
if no final approval or denial or reclassification, authority to conduct activities as described in modification request for life of permit unless later modification	54	270.42(b)(6)(v)					
consideration and response to all significant comments	54	270.42(b)(6)(vi)					
extension of time periods for final approval, denial or reclassification as Class 3	54	270.42(b)(6)(vii)					
reasons to deny or change Class 2 permit modification terms:	54	270.42(b)(7)					
request is incomplete	54	270.42(b)(7)(i)					
noncompliance with appropriate requirements	54	270.42(b)(7)(ii)					
failure to protect human health and environment	54	270.42(b)(7)(iii)					
commencement of construction under Class 2	54	270.42(b)(8)					
requirements for Class 3 modifications listed in 270.42 Appendix I:	54	270.42(c)(1)					
description of exact changes	54	270.42(c)(1)(i)					
identification of Class 3 modification	54	270.42(c)(1)(ii)					
why modification is needed	54	270.42(c)(1)(iii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
provision of applicable information	54,94	270.42(c)(1)(iv)					
to whom and when notice must be sent; what notice must include:	54	270.42(c)(2)					
announcement of a 60-day comment period	54	270.42(c)(2)(i)					
announcement of when and where public meeting will be held	54	270.42(c)(2)(ii)					
name and phone number of permittee's contact person	54	270.42(c)(2)(iii)					
name and phone number of Agency contact person	54	270.42(c)(2)(iv)					
location for viewing modification request	54	270.42(c)(2)(v)					
availability of permittee's compliance history	54	270.42(c)(2)(vi)					
placement of modification request copy in vicinity of facility for public access	54	270.42(c)(3)					
when and where permittee must hold a public meeting	54	270.42(c)(4)					
public comment period	54	270.42(c)(5)					
grant or deny modification request after public comment period; consider and respond to all significant written comments	54	270.42(c)(6)					
26 other modifications not explicitly listed in Appendix I	54	270.42(d)(1)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
determination of appropriate class:	54	270.42(d)(2)					
changes that necessitate Class 1 modifications	54	270.42(d)(2)(i)					
changes that necessitate Class 2 modifications	54	270.42(d)(2)(ii)					
variations in types and quantities of wastes managed	54	270.42(d)(2)(ii)(A)					
technological advancements	54	270.42(d)(2)(ii)(B)					
changes necessary to comply with new regulations	54	270.42(d)(2)(ii)(C)					
Class 3 modifications substantially alter operation	54	270.42(d)(2)(iii)					
granting of temporary authorizations	54	270.42(e)(1)					
temporary authorization may be requested for:	54	270.42(e)(2)(i)					
Class 2 modification meeting criteria	54	270.42(e)(2)(i)(A)					
Class 3 modification meeting criteria and providing improved management or treatment	54	270.42(e)(2)(i)(B)					
what temporary authorization request must include:	54	270.42(e)(2)(ii)					
description of activities	54	270.42(e)(2)(ii)(A)					
why temporary authorization is necessary	54	270.42(e)(2)(ii)(B)					
sufficient information to	54	270.42(e)(2)(ii)(C)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
ensure compliance							
to whom notice must be sent	54	270.42(e)(2)(iii)					
approve or deny temporary authorization quickly; basis for decision:	54	270.42(e)(3)					
authorized activities in compliance with Part 264	54	270.42(e)(3)(i)					
necessity of temporary authorization to achieve an objective:	54	270.42(e)(3)(ii)					
facilitate closure or corrective action activities	54	270.42(e)(3)(ii)(A)					
allow treatment or storage in tanks or containers, or in containment buildings	54,109	270.42(e)(3)(ii)(B)					
prevent disruption of ongoing activities	54	270.42(e)(3)(ii)(C)					
respond to sudden changes in types or quantities of wastes managed	54	270.42(e)(3)(ii)(D)					
facilitate protection of human health and environment	54	270.42(e)(3)(ii)(E)					
reissuance of temporary authorization for Class 2 or 3	54	270.42(e)(4)					
reissuance of Class 2 in accordance with specific paragraphs	54	270.42(e)(4)(i)					
reissuance of Class 3 in accordance with specific paragraph	54	270.42(e)(4)(ii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
when and to whom notification of grant, denial or automatic authorization decisions must be sent	54	270.42(f)(1)					
appeal of grant or denial decision	54	270.42(f)(2)					
appeal of automatic authorization	54	270.42(f)(3)					
newly regulated wastes and units	54,85	270.42(g)					
continued authority to manage wastes listed in Part 261 or continue to manage hazardous wastes in units newly regulated as hazardous waste management units if:	54,85,94	270.42(g)(1)					
unit in existence as a hazardous waste facility on effective date of final rule listing or identifying waste or regulating the unit	54,85,94	270.42(g)(1)(i)					
submit Class 1 modification request	54,85	270.42(g)(1)(ii)					
in compliance with 265 and 266 standards	54,85	270.42(g)(1)(iii)					
for Class 2 or 3 modifications, submit complete modification request within 180 days of effective date of rule listing or identifying waste or subjecting unit to Subtitle C management requirements	54,85,94	270.42(g)(1)(iv)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certification that land disposal units are in compliance within 12 months	54,85	270.42(g)(1)(v)					
expansions are not under 25 percent capacity limit for Class 2 modifications	54	270.42(g)(2)					
27 if listed conditions met, permittee may accept military munitions even when permit conditions bar acceptance of off-site waste	156	270.42(h)					
	156	270.42(h)(1)					
	156	270.42(h)(2)					
	156	270.42(h)(3)					
27 maintenance and notice of updated list of permit modifications	54,156	270.42(i)					
U,28, 29 combustion facility changes to meet part 63 MACT standards; procedures apply to hazardous waste combustion facility permit modifications requested under Appendix I of 270.42, section L(9)	†168	270.42(j)					
	†168, 188, 198	270.42(j)(1)					
	†168	270.42(j)(2)					
29 270.42(k) through 270.42(p) removed	34,†39,54	270.42(k)-(p)					
†,30,31 Appendix I; classification of modifications	54,61,64,78,83,85,94,100,109,†121,124,†168,†175,†182	270.42, Appendix I					
TERMINATION OF PERMITS							
causes for terminating a permit	V	270.43(a)					
		270.43(a)(1)					
		270.43(a)(2)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.43(a)(3)					
@ Director shall follow applicable Part 124 or State procedures	V	270.43(b)					

SUBPART E - EXPIRATION AND CONTINUATION OF PERMITS

DURATION OF PERMITS

@ maximum ten-year term	V	270.50(a)					
@ no extension of maximum term by modification except as 270.51 provides	V	270.50(b)					
† permit for less than full term	V	270.50(c)					
five-year review for land disposal facility permits	17 N	270.50(d)					

SUBPART F - SPECIAL FORMS OF PERMITS

† PERMITS BY RULE

RCRA permit by rule if listed conditions are met	*	270.60					
ocean disposal barges or vessels; specific conditions:	V	270.60(a)					
permit under Part 220	V	270.60(a)(1)					
compliance with conditions of that permit	V	270.60(a)(2)					
compliance with specified hazardous waste regulations	V	270.60(a)(3)					
		270.60(a)(3)(i)					
		270.60(a)(3)(ii)					
		270.60(a)(3)(iii)					
		270.60(a)(3)(iv)					
		270.60(a)(3)(v)					
		270.60(a)(3)(vi)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
injection wells; specific conditions:	V	270.60(b)					
permit under Part 144 or 145	V	270.60(b)(1)					
compliance with permit conditions and 144.14 requirements	V	270.60(b)(2)					
conditions for UIC permits issued after November 8, 1984	17 L	270.60(b)(3)					
	44 C	270.60(b)(3)(i)					
		270.60(b)(3)(ii)					
publicly owned treatment works; specific conditions:	V	270.60(c)					
NPDES permit	V	270.60(c)(1)					
compliance with conditions of permit	V	270.60(c)(2)					
compliance with specified regulations	V	270.60(c)(3)					
		270.60(c)(3)(i)					
		270.60(c)(3)(ii)					
		270.60(c)(3)(iii)					
		270.60(c)(3)(iv)					
		270.60(c)(3)(v)					
		270.60(c)(3)(vi)					
	17 L	270.60(c)(3)(vii)					
waste meets all pretreatment requirements	V	270.60(c)(4)					
† EMERGENCY PERMITS							
temporary emergency permit	V	270.61(a)					
nonpermitted facility	V	270.61(a)(1)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
permitted facility	V	270.61(a)(2)					
conditions of emergency permit	V	270.61(b)(1)					
		270.61(b)(2)					
		270.61(b)(3)					
		270.61(b)(4)					
	V,148	270.61(b)(5)					
	V	270.61(b)(5)(i)					
		270.61(b)(5)(ii)					
		270.61(b)(5)(iii)					
		270.61(b)(5)(iv)					
		270.61(b)(5)(v)					
		270.61(b)(6)					

† HAZARDOUS WASTE INCINERATOR PERMITS

17	when compliance with air emission standards & limitations in part 63, subpart EEE is demonstrated, 270.62 requirements do not apply; except provisions determined necessary to ensure compliance with 264.345(a) and 266.345(c) if you elect to comply with 270.235(a)(1)(i) to minimize emissions from startup, shutdown, and malfunction; Director may apply 270.62 on case-by-case basis for information collection	182, 197, 202	270.62 intro				
	permit conditions to determine operational readiness; trial burn; permit modification	V,†54	270.62(a)				

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
submittal of statement with Part B for compliance with 264.343	V	270.62(a)(1)					
review and specifications by Director	V	270.62(a)(2)					
permit conditions during trial burn	V	270.62(b)					
trial burn plan, Part B	V	270.62(b)(1)					
trial burn plan must include:	V	270.62(b)(2)					
analysis of each waste or mixture of waste	V	270.62(b)(2)(i)					
		270.62(b)(2)(i)(A)					
		270.62(b)(2)(i)(B)					
	V,126	270.62(b)(2)(i)(C)					
		270.62(b)(2)(i)(D)					
detailed engineering description	V	270.62(b)(2)(ii)					
		270.62(b)(2)(ii)(A)					
		270.62(b)(2)(ii)(B)					
		270.62(b)(2)(ii)(C)					
		270.62(b)(2)(ii)(D)					
		270.62(b)(2)(ii)(E)					
		270.62(b)(2)(ii)(F)					
		270.62(b)(2)(ii)(G)					
		270.62(b)(2)(ii)(H)					
		270.62(b)(2)(ii)(I)					
		270.62(b)(2)(ii)(J)					
detailed description of sampling and monitoring procedures	V	270.62(b)(2)(iii)					
detailed test schedule for each waste	V	270.62(b)(2)(iv)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
detailed test protocol	V	270.62(b)(2)(v)					
emission control equipment description	V	270.62(b)(2)(vi)					
rapid shut-down procedures	V	270.62(b)(2)(vii)					
other information as Director finds necessary	V	270.62(b)(2)(viii)					
sufficiency of information	V	270.62(b)(3)					
trial POHCs	V	270.62(b)(4)					
conditions for approval of trial burn plan by Director	V	270.62(b)(5)					
		270.62(b)(5)(i)					
		270.62(b)(5)(ii)					
		270.62(b)(5)(iii)					
		270.62(b)(5)(iv)					
32 notice to be sent by the Director to all persons on the facility mailing list and to the appropriate units of State and local government announcing the scheduled commencement and completion dates for the trial burn; applicant may not commence the trial burn until after notice has been issued	148	270.62(b)(6)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
notice must be mailed within a reasonable time period before the scheduled trial burn; additional notice not required if trial burn is delayed due to circumstances beyond the facility's or permitting agency's control	148	270.62(b)(6)(i)					
notice must contain:	148	270.62(b)(6)(ii)					
name and telephone of the applicant's contact person	148	270.62(b)(6)(ii)(A)					
name and telephone number of the permitting agency's contact office	148	270.62(b)(6)(ii)(B)					
location where the approved trial burn plan and any supporting documents can be reviewed and copied	148	270.62(b)(6)(ii)(C)					
expected time period for commencement and completion of the trial burn	148	270.62(b)(6)(ii)(D)					
32 determinations to be made during trial burn	V,148	270.62(b)(7)					
		270.62(b)(7)(i)					
		270.62(b)(7)(ii)					
		270.62(b)(7)(iii)					
		270.62(b)(7)(iv)					
		270.62(b)(7)(v)					
		270.62(b)(7)(vi)					
		270.62(b)(7)(vii)					
		270.62(b)(7)(viii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.62(b)(7)(ix)					
		270.62(b)(7)(x)					
32 certification and submittal of results	V,148	270.62(b)(8)					
32 submittal of data	V,148	270.62(b)(9)					
32 certification of submissions	V,148	270.62(b)(10)					
32 operating requirements in final permit	V,†54, 148	270.62(b)(11)					
establishment of permit conditions following trial burn; before final modification	V	270.62(c)					
submittal of statement with Part B for compliance with 264.343	V	270.62(c)(1)					
Director's review of statement; specify requirements	V	270.62(c)(2)					
permit application for existing incinerator; notice of intent to approve trial burn plan; submittal and timing of trial burn plan	V,60,148	270.62(d)					

† PERMITS FOR LAND TREATMENT DEMONSTRATIONS USING FIELD TEST OR LABORATORY ANALYSES

treatment demonstration permit containing 264.272(c) requirements	V	270.63(a)					
two-phase facility permit	V	270.63(a)(1)					
permit covering only field test or laboratory analyses	V	270.63(a)(2)					
conditions for phased permit; effectiveness	V	270.63(b)					
		270.63(b)(1)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.63(b)(2)					
submittal of certification and data	V	270.63(c)					
modification of second phase of permit to comply with Part 264, Subpart M	V	270.63(d)					
permit modification under 270.42 or 270.41(a)(2); when second phase of permit becomes effective	V,†54	270.63(d)(1)					
no second phase modifications; notice of final decision	V,†54	270.63(d)(2)					
removed	V,†54	270.63(d)(3)					

INTERIM PERMITS FOR UIC WELLS

# issuance of UIC permit; compliance with Part 264, Subpart R; maximum of two years	*	270.64					
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† RESEARCH, DEVELOPMENT AND DEMONSTRATION PERMITS

permit for experimental activity not promulgated under Part 264 or 266; permit provisions:	17 Q	270.65(a)					
construction of facilities; operation for maximum of one year unless renewed	17 Q	270.65(a)(1)					
receipt and treatment of necessary wastes to determine efficacy and performance capabilities	17 Q	270.65(a)(2)					
inclusion of necessary requirements by Administrator to protect health and environment	17 Q	270.65(a)(3)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
modify or waive Parts 124 and 270 requirements except financial responsibility	17 Q	270.65(b)					
immediate termination as necessary	17 Q	270.65(c)					
maximum of three renewals; each renewal maximum of one year	17 Q	270.65(d)					

PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

†,22 when cement or lightweight aggregate kiln complies with air emission standards & limitations in part 63, subpart EEE, 270.66 requirements do not apply; except provisions determined necessary to ensure compliance with 266.102(e)(1) and 266.102(e)(2)(iii) if you elect to comply with 270.235(a)(1)(i) to minimize emissions from startup, shutdown, and malfunction; Director may apply 270.66 on case-by-case basis for information collection	182, 197, 202	270.66 intro					
new boilers and industrial furnaces subject to 270.66(b)-(f); those under interim status standards of 266.103 subject to 270.66(g)	85	270.66(a)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
permit for new boiler or industrial furnace shall specify appropriate conditions for the following operating periods:	85	270.66(b)					
pretrial burn period described; Director must establish in Pretrial Burn Period of permit conditions including allowable hazardous waste feed rates and operating conditions; extension of period for up to 720 additional hours; permit may be modified to reflect extension as per 270.42	85,94	270.66(b)(1)					
submittal of statement with Part B that suggests operating conditions for 266.104-266.107 compliance during period, including restrictions on 266.102(e) operating requirements	85	270.66(b)(1)(i)					
review of Part B materials and specification by Director of requirements sufficient to meet 266.104-266.107 performance standards based on engineering judgment	85	270.66(b)(1)(ii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for duration of trial burn, Director establishes conditions in permit to determine feasibility of compliance with 266.104-266.107 standards and to determine adequate 266.102(e) operating conditions; applicants must propose a trial burn plan as per 270.66(c) and submit with Part B	85	270.66(b)(2)					
for defined minimum period immediately following trial burn, during which submission and review of trial burn results and modification of permit by Director occurs, Director establishes operating requirements most likely to ensure compliance with 266.104-266.107 standards	85	270.66(b)(3)(i)					
submittal of statement with Part B that identifies operating conditions for 266.104-266.107 compliance during period, including restrictions on 266.102(e) operating requirements	85	270.66(b)(3)(ii)					
review and specification by Director of requirements sufficient to meet 266.104-266.107 performance standards based on engineering judgment	85	270.66(b)(3)(iii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for final period of operation, Director develops operating requirements in conformance with 266.102(e) and 266.104-266.107 standards; Director shall make necessary modifications to permit as per 270.42 based on trial burn results to ensure compliance	85,94	270.66(b)(4)					
information the trial burn plan must include; Director may require supplemental information	85	270.66(c)					
analysis of each feed stream, as fired	85	270.66(c)(1)					
		270.66(c)(1)(i)					
		270.66(c)(1)(ii)					
analysis of each hazardous waste, as fired	85	270.66(c)(2)					
	85,94,126	270.66(c)(2)(i)					
		270.66(c)(2)(ii)					
	85	270.66(c)(2)(iii)					
detailed engineering description of boiler or industrial furnace	85	270.66(c)(3)					
		270.66(c)(3)(i)					
		270.66(c)(3)(ii)					
		270.66(c)(3)(iii)					
		270.66(c)(3)(iv)					
		270.66(c)(3)(v)					
	85,94	270.66(c)(3)(vi)					
		270.66(c)(3)(vii)					
	85	270.66(c)(3)(viii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
detailed description of sampling and monitoring procedures	85	270.66(c)(4)					
detailed test schedule for each hazardous waste for which the trial burn is planned	85	270.66(c)(5)					
detailed test protocol	85	270.66(c)(6)					
description of, and planned operating conditions for, any emission control equipment to be used	85	270.66(c)(7)					
procedures for rapid stopping of hazardous waste feed and emissions control if an equipment malfunction	85	270.66(c)(8)					
other information Director finds necessary	85	270.66(c)(9)					
trial burn conducted to demonstrate conformance with 266.104-266.107 standards under an approved trial burn plan	85	270.66(d)(1)					
findings under which the Director shall approve a trial burn plan	85	270.66(d)(2)					
		270.66(d)(2)(i)					
		270.66(d)(2)(ii)					
		270.66(d)(2)(iii)					
		270.66(d)(2)(iv)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
33 Director must give notice to all persons on the facility mailing list and to the appropriate units of State and local government announcing the scheduled commencement and completion dates for the trial burn; applicant may not commence the trial burn until after notice has been issued	148	270.66(d)(3)					
notice must be mailed within a reasonable time period before the trial burn; additional notice not required if trial burn is delayed due to circumstances beyond the facility's or permitting agency's control	148	270.66(d)(3)(i)					
notice must contain:	148	270.66(d)(3)(ii)					
name and telephone number of the applicant's contact person	148	270.66(d)(3)(ii)(A)					
name and telephone number of the permitting agency's contact office	148	270.66(d)(3)(ii)(B)					
location where the approved trial burn plan and any supporting documents can be reviewed and copied	148	270.66(d)(3)(ii)(C)					
expected time period for commencement and completion of the trial burn	148	270.66(d)(3)(ii)(D)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
33 submit to Director within 90 days of trial burn completion a certification that trial burn was carried out in accordance with approved plan and results of all 270.66(c) required determinations	85,148	270.66(d)(4)					
33 submit all data collected during any trial burn	85,148	270.66(d)(5)					
33 270.66(d) submissions must be certified by signature of person authorized in 270.11 to sign permit application or report	85,148	270.66(d)(6)					
for DRE trial burn under 266.104(a), Director will specify trial POHCs; basis for specification	85	270.66(e)					
determinations to be made based on each trial burn:	85	270.66(f)					
quantitative analysis of specified materials in the feed streams	85	270.66(f)(1)					
determinations needed when a DRE trial burn is required under 266.104(a)	85	270.66(f)(2)					
		270.66(f)(2)(i)					
		270.66(f)(2)(ii)					
		270.66(f)(2)(iii)					
quantitative analysis of stack gas and a computation showing conformance with the emission standard when a trial burn is required for chlorinated dioxins and furans under	85,94	270.66(f)(3)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
266.104(e)							
quantitative analysis of stack gas and computations showing conformance with applicable emission standards when a trial burn is required for particulate matter, metals, or HCl/Cl ₂ under 266.105, 266.106(c) or (d), or 266.107(b)(2) or (c)	85	270.66(f)(4)					
quantitative analysis of scrubber water, ash residues, other residues and products to estimate fate of trial POHCs, metals, and chlorine/chloride when a trial burn is required for DRE, metals or HCl/Cl ₂ under 266.104(a), 266.106(c) or (d), or 266.107(b)(2) or (c)	85	270.66(f)(5)					
identification of sources of fugitive emissions and their means of control	85	270.66(f)(6)					
continuous measurement of CO, oxygen, and HC in stack gas	85	270.66(f)(7)					
such other information as Director specifies	85,94	270.66(f)(8)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
34 to determine feasibility of compliance with 266.104-266.107 performance standards and adequate operating conditions under 266.103, applicants of existing devices operated under interim status must either prepare and submit a trial burn plan and perform a trial burn or submit 270.22(a)(6) information; announcement of intention to approve a trial burn plan; submit trial burn results with Part B application if plan approved before Part B submission; date for submission; requirements if submitting trial burn plan with Part B application	85,148	270.66(g)					
† REMEDIAL ACTION PLANS (RAPs)							
35 RAPs are special forms of permits regulated under 270 subpart H	175	270.68					
SUBPART G - INTERIM STATUS							
† QUALIFYING FOR INTERIM STATUS							
existing HWM facility; treated as having been issued permit provided:	V,†17 D,†17 P	270.70(a)					
compliance with section 3010(a) of RCRA	V	270.70(a)(1)					
compliance with 270.10	V	270.70(a)(2)					
failure to qualify	V,†6	270.70(b)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
previous denial of RCRA permit or authority to operate terminated	17 D,17 P	270.70(c)					

† OPERATION DURING INTERIM STATUS

restrictions during interim status period	V	270.71(a)					
		270.71(a)(1)					
		270.71(a)(2)					
		270.71(a)(3)					
compliance with Part 265	V	270.71(b)					

† CHANGES DURING INTERIM STATUS

allowed changes at interim status facility	†61	270.72(a)					
new hazardous wastes not identified in Part A application; addition of TSD units; submittal of revised Part A	V,†61	270.72(a)(1)					
increases in design capacity	V,†61	270.72(a)(2)					
lack of available capacity	V,†61	270.72(a)(2)(i)					
compliance with Federal, State or local requirement	†61	270.72(a)(2)(ii)					
changes or addition of processes; revised Part A permit application	V,†61	270.72(a)(3)					
emergency situation	V,†61	270.72(a)(3)(i)					
compliance with Federal, State or local requirement	V,†61	270.72(a)(3)(ii)					
changes in ownership or operational control;	V,24,†61	270.72(a)(4)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
compliance demonstrations; transfer of duties							
changes made in accordance with corrective action or court order; changes limited to releases that originate within facility boundary	†61	270.72(a)(5)					
newly regulated units if a revised Part A permit application is submitted on or before the date the unit becomes subject to the new requirements	85	270.72(a)(6)					
changes not allowed if amount to reconstruction of facility; exceptions:	V,†61	270.72(b)					
changes solely to comply with 265.193	28,†61	270.72(b)(1)					
changes necessary to satisfy standards of 3004(o) because of Federal, State or local requirements	†61	270.72(b)(2)					
changes necessary to allow continuing treatment of newly listed or identified wastes treated, stored or disposed of prior to rule's effective date	†61	270.72(b)(3)					
changes during closure in accordance with approved closure plan	†61	270.72(b)(4)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
changes necessary to comply with interim status corrective action order or court order; changes limited to treatment, storage, or disposal of waste that originated within boundary of facility	†61	270.72(b)(5)					
changes to treat or store, in tanks, containers or containment buildings wastes subject to 268 or RCRA Section 3004 land disposal restrictions, if solely made for compliance with these requirements	39,†61,109	270.72(b)(6)					
addition of newly regulated units under 270.72(a)(6)	85	270.72(b)(7)					
†,U changes necessary to comply with standards under 40 CFR part 63 Subpart EEE-National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors	168	270.72(b)(8)					
removed	V,†61	270.72(c)-(e)					

† TERMINATION OF INTERIM STATUS

when interim status terminates	V	270.73					
36 final administrative disposition of a permit application	V,†175	270.73(a)					
terminated as provided in 270.10(e)(5)	V	270.73(b)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
termination of interim status for land disposal facility granted interim status prior to November 8, 1984 on November 8, 1985, unless:	17 P	270.73(c)					
Part B submittal	17 P	270.73(c)(1)					
certification of compliance with groundwater monitoring and financial responsibility requirements	17 P	270.73(c)(2)					
for land disposal facility in existence on the effective date of statutory or regulatory amendment, twelve months after RCRA permit requirement; exceptions:	17 P	270.73(d)					
submittal of Part B application	17 P	270.73(d)(1)					
certification of compliance with groundwater monitoring and financial responsibility requirements	17 P	270.73(d)(2)					
37 for land disposal units operating under 270.72(a)(1), (2), or (3); 12 months after effective date unless certification of compliance	†61	270.73(e)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
37 for an incinerator, which has achieved interim status prior to November 8, 1984, interim status terminates on November 8, 1989 unless Part B applications by November 8, 1986	17 P,†61,85,94	270.73(f)					
37 any facility (other than land disposal or incinerator facility) which has achieved interim status prior to November 8, 1984, interim status terminates on November 8, 1992 unless Part B applications by November 8, 1988	17 P,†61,85,94	270.73(g)					

SUBPART H - REMEDIAL ACTION PLANS (RAPs)

† WHY IS THIS SUBPART WRITTEN IN A SPECIAL FORMAT?

subpart is written in special format to make regulatory requirements easier to understand; establishes enforceable legal requirements; "I" and "you" refer to owner/operator	175	270.79					
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† WHAT IS A RAP?

explanation of a RAP; when RAPs may be issued	175	270.80(a)					
requirements in 270.3-270.66 do not apply to RAPs unless specifically required under 270.80-270.230; 270.2 definitions apply	175	270.80(b)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
any document meeting 270.80 requirements constitutes a RCRA permit under RCRA 3005(c)	175	270.80(c)					
a RAP may be:	175	270.80(d) intro					
a stand-alone document; or	175	270.80(d)(1)					
part of another document	175	270.80(d)(2)					
RAPs do not affect cleanup obligations under Federal or State authorities	175	270.80(e)					
RAP received at facility operating under interim status does not terminate the interim status	175	270.80(f)					

† WHEN DO I NEED A RAP?

treatment, storage, or disposal of hazardous remediation wastes in manner requiring permit under 270.1, either obtain:	175	270.85(a) intro					
permit according to 270.3-270.66; or	175	270.85(a)(1)					
RAP according to 270 subpart H	175	270.85(a)(2)					
treatment units that use combustion of hazardous remediation wastes at remediation waste management site are not eligible for RAPs under 270 subpart H	175	270.85(b)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
RAP can be obtained for managing hazardous remediation waste at permitted facility; the RAP must be approved as permit modification according to 270.41 or 270.42; certain 270.42 requirements do not apply; upon modification, RAP is part of permit; what requirements apply when permit is subsequently modified, revoked and reissued, terminated or when it expires	175	270.85(c)					
† DOES MY RAP GRANT ME ANY RIGHTS OR RELIEVE ME OF ANY OBLIGATIONS?							
the provisions of 270.4 apply to RAPs	175	270.90					
† HOW DO I APPLY FOR A RAP?							
to apply for RAP, complete & sign application and submit to Director according to 270 subpart H requirements	175	270.95					
† WHO MUST OBTAIN A RAP?							
when facility or remediation waste management site is owned by one person, but treatment, storage or disposal activities are operated by another, operator must obtain a RAP	175	270.100					
† WHO MUST SIGN THE APPLICATION AND ANY REQUIRED REPORTS FOR A RAP?							

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
both owner & operator must sign RAP application according to 270.11(a)-(c); both owner & operator must also make the 270.11(d)(1) certification; owner may choose 270.11(d)(2) certification if operator certifies under 270.11(d)(1)	175	270.105					

† WHAT MUST I INCLUDE IN MY APPLICATION FOR A RAP?

the following must be included in application for RAP:	175	270.110 intro					
name, address, & EPA identification number of site;	175	270.110(a)					
name, address, & telephone number of owner & operator;	175	270.110(b)					
latitude & longitude of site;	175	270.110(c)					
USGS or county map showing location of site;	175	270.110(d)					
scaled drawing of site showing:	175	270.110(e) intro					
site boundaries;	175	270.110(e)(1)					
significant physical structures; and	175	270.110(e)(2)					
boundary where remediation waste is to be treated, stored or disposed;	175	270.110(e)(3)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
specification of hazardous remediation waste to be treated, stored or disposed of; include information on:	175	270.110(f) intro					
constituent concentrations & other properties that may affect treatment and/or management;	175	270.110(f)(1)					
waste quantity estimate; and	175	270.110(f)(2)					
description of processes used to treat, store, or dispose of waste before subjecting to part 268;	175	270.110(f)(3)					
enough information to demonstrate compliance with applicable requirements of parts 264, 266, & 268;	175	270.110(g)					
information necessary for Regional Administrator to carry out duties under other laws for traditional permits under 270.14(b)(20);	175	270.110(h)					
any other information the Director decides is necessary to protect human health & environment	175	270.110(i)					

† WHAT IF I WANT TO KEEP THIS INFORMATION CONFIDENTIAL?

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
any or all information submitted to EPA under 270 subpart H can be claimed confidential; to assert claim, stamp "confidential business information" on each page; information claimed as confidential will be subjected to 40 CFR part 2 procedures; without a claim, information may be made available to public without further notice; any requests for name and/or address confidentiality will be denied	175	270.115					

† TO WHOM MUST I SUBMIT MY RAP APPLICATION?

applications for RAP must be submitted to Director	175	270.120					
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† IF I SUBMIT MY RAP APPLICATION AS PART OF ANOTHER DOCUMENT, WHAT MUST I DO?

when submitting applications for RAP as part of another document, clearly identify the components constituting your RAP	175	270.125					
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† WHAT IS THE PROCESS FOR APPROVING OR DENYING MY APPLICATION FOR A RAP?

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
Director will make tentative decision on RAP application if all 270.110 information requirements are included & proposed remediation waste management activities meet regulatory standards; Director will prepare draft RAP & provide opportunity for public comment	175	270.130(a)					
Director may request additional information or ask that deficiencies be corrected; failure or refusal to provide additional information or to correct deficiencies may be cause for tentative application denial; after tentative denial, Director prepares Notice of Intent (NOI) and provides opportunity for public comment; Director may deny all or part of application	175	270.130(b)					

† WHAT MUST THE DIRECTOR INCLUDE IN A DRAFT RAP?

if Director prepares draft RAP, it must include:	175	270.135 intro					
information required under 270.110(a)-(f);	175	270.135(a)					
terms & conditions:	175	270.135(b) intro					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
terms & conditions to ensure compliance with applicable requirements of parts 264, 266, & 268; Director may incorporate applicable requirements of parts 264, 266, & 268 into RAP or establish site-specific conditions as required by parts 264, 266, & 268;	175	270.135(b)(1)					
terms & conditions in 270.30;	175	270.135(b)(2)					
terms & conditions in 270.170; and	175	270.135(b)(3)					
any additional terms or conditions Director determines necessary to protect human health & environment; and	175	270.135(b)(4)					
if part of another document, Director must clearly identify components that constitute draft RAP	175	270.135(c)					

† WHAT ELSE MUST THE DIRECTOR PREPARE IN ADDITION TO THE DRAFT RAP OR NOTICE OF INTENT TO DENY?

once the Director has prepared draft RAP or NOI to deny, he must:	175	270.140 intro					
prepare statement of basis briefly describing derivation of draft RAP conditions & reasons for them, or rationale for NOI to deny;	175	270.140(a)					
compile an administrative record, including:	175	270.140(b) intro					
RAP application &	175	270.140(b)(1)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
supporting data;							
draft RAP or NOI to deny;	175	270.140(b)(2)					
statement of basis & all documents cited therein; and	175	270.140(b)(3)					
any other documents that support decision; and	175	270.140(b)(4)					
make information in administrative record available to public	175	270.140(c)					

† WHAT ARE THE PROCEDURES FOR PUBLIC COMMENT ON THE DRAFT RAP OR NOTICE OF INTENT TO DENY?

Director must:	175	270.145(a) intro					
send notice of intention to approve or deny, and copy of statement of basis;	175	270.145(a)(1)					
publish notice of intention to approve or deny in major local newspaper;	175	270.145(a)(2)					
broadcast intention to approve or deny over local radio station; and	175	270.145(a)(3)					
send notice of intention to approve or deny to local government and each State agency having authority over any construction or operations at site	175	270.145(a)(4)					
notice required in 270.145(a) must provide opportunity for public to submit written comment within 45 days	175	270.145(b)					
notice required in 270.145(a) must include:	175	270.145(c) intro					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
name & address of office processing application;	175	270.145(c)(1)					
name & address of applicant, & if different, site or activity to be regulated;	175	270.145(c)(2)					
brief description of activity to be regulated;	175	270.145(c)(3)					
name, address & telephone number of person with further information;	175	270.145(c)(4)					
brief description of comment procedures & any other public participatory procedures;	175	270.145(c)(5)					
date, time, location & purpose of hearing, if one is scheduled	175	270.145(c)(6)					
statement of procedures to request hearing, if one is not scheduled;	175	270.145(c)(7)					
location of administrative record & public inspection times; and	175	270.145(c)(8)					
any additional information considered necessary by Director	175	270.145(c)(9)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Director must hold informal public meeting if written notice of opposition is received; Director may also decide an informal hearing is appropriate; hearing must allow for written or oral comments; hearing at convenient location & notice according to 270.145(a) must be given; include 270.145(c) information in notice and:	175	270.145(d) intro					
reference date of any previous public notices;	175	270.145(d)(1)					
date, time and place of hearing; and	175	270.145(d)(2)					
brief description of nature & purpose of hearing	175	270.145(d)(3)					

† HOW WILL THE DIRECTOR MAKE A FINAL DECISION ON MY RAP APPLICATION?

Director must consider & respond to significant comments and revise draft RAP as appropriate	175	270.150(a)					
if Director determines RAP includes 270.135 requirements, final approval decision will be issued, & notification provided	175	270.150(b)					
if Director determines RAP does not include 270.135 requirements, final denial decision will be issued, & notification provided	175	270.150(c)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if Director decides tentative decision to deny was incorrect, NOI to deny will be withdrawn & preparation of draft RAP will proceed	175	270.150(d)					
when Director issues final decision, 270.155 procedures for appeal must be referenced	175	270.150(e)					
before issuing final decision, Director must compile administrative record; materials not physically needed in record; final RAP record must include draft RAP information and:	175	270.150(f)					
all comments received;	175	270.150(f)(1)					
tapes or transcripts of hearings;	175	270.150(f)(2)					
written materials submitted;	175	270.150(f)(3)					
responses to comments;	175	270.150(f)(4)					
new material;	175	270.150(f)(5)					
other supporting documents; and	175	270.150(f)(6)					
copy of final RAP	175	270.150(f)(7)					
Director must make administrative record available for public review	175	270.150(g)					

† MAY THE DECISION TO APPROVE OR DENY MY RAP APPLICATION BE ADMINISTRATIVELY APPEALED?

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
any commenter or public hearing participant may appeal decision to approve or deny a RAP application under 124.19; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision; notice of RAP application review will be given under 270.145; notice will include:	175	270.155(a) intro					
briefing schedule;	175	270.155(a)(1)					
statement that an amicus brief may be filed; and	175	270.155(a)(2)					
information specified in 270.145(c), as appropriate	175	270.155(a)(3)					
this appeal is prerequisite to judicial review	175	270.155(b)					

† **WHEN DOES MY RAP BECOME EFFECTIVE?**

RAP becomes effective 30 days after approval unless:	175	270.160 intro					
Director specifies later date;	175	270.160(a)					
RAP is appealed under 270.155; or	175	270.160(b)					
no change requested in draft RAP, in which case it becomes effective immediately	175	270.160(c)					

† **WHEN MAY I BEGIN PHYSICAL CONSTRUCTION OF NEW UNITS PERMITTED UNDER THE RAP?**

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
physical construction of newly permitted units must not begin before final RAP is received	175	270.165					

† AFTER MY RAP IS ISSUED, HOW MAY IT BE MODIFIED, REVOKED AND REISSUED, OR TERMINATED?

RAP must specify procedures for modifications, revocations and reissuance, or termination; procedures must provide for public review & comment; if RAP is part of traditional RCRA permit, will be modified according to 270.40-270.42, revoked & reissued according to 270.41 & 270.43, or terminated according to 270.43	175	270.170					
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† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO MODIFY MY FINAL RAP?

final RAP may be modified on Director's initiative for following reasons only; if reasons don't exist, RAP only modified at your request; reasons for modification:	175	270.175(a) intro					
material & substantial alterations or additions were made;	175	270.175(a)(1)					
new information found that would have justified different conditions at RAP issuance;	175	270.175(a)(2)					
standards or regulations on which RAP was based have changed;	175	270.175(a)(3)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if RAP includes compliance schedules, Director may find reason to modify	175	270.175(a)(4)					
not in compliance with RAP;	175	270.175(a)(5)					
all relevant facts not disclosed or were misrepresented;	175	270.175(a)(6)					
Director determines authorized activity endangers human health or environment; or	175	270.175(a)(7)					
Director notified of proposed transfer of RAP	175	270.175(a)(8)					
notwithstanding provisions in 270.175, Director may modify RAP permit as necessary to assure compliance with parts 124, 260-266 and 270	175	270.175(b)					
suitability of facility location will not be reevaluated unless new information indicates threat to human health or environment	175	270.175(c)					

† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO REVOKE AND REISSUE MY FINAL RAP?

final RAP may be revoked & reissued on Director's initiative for following reasons only; if reasons don't exist, RAP only revoked & reissued at your request; reasons for revocation and reissuance are same as those for modification in 270.175(a)(5)-(8)	175	270.180(a)					
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CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
suitability of facility location will not be reevaluated unless new information indicates threat to human health or environment	175	270.180(b)					

† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO TERMINATE MY FINAL RAP, OR DENY MY RENEWAL APPLICATION?

final RAP may be terminated or renewal application denied on Director's initiative, for same reasons as in 270.175(a)(5)-(7)	175	270.185					
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† MAY THE DECISION TO APPROVE OR DENY A MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF MY RAP BE ADMINISTRATIVELY APPEALED?

any commenter or public hearing participant may appeal decision to approve RAP modification, revocation & reissuance or termination according to 270.155; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision	175	270.190(a)					
any commenter or public hearing participant may appeal decision to deny RAP modification, revocation & reissuance or termination; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision	175	270.190(b)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
informal appeals process:	175	270.190(c) intro					
letter sent to Environmental Appeals Board; briefly set forth facts in letter	175	270.190(c)(1)					
Environmental Appeals Board has 60 days to act	175	270.190(c)(2)					
appeal considered denied if no action taken within 60 days	175	270.190(c)(3)					
informal appeal is prerequisite to judicial review	175	270.190(d)					

† WHEN WILL MY RAP EXPIRE?

RAPs issued for fixed term not to exceed 10 years, although up to 10 year renewals are possible; Director must review RAP for LDR 5 years after issuance or reissuance and assure continued compliance with RCRA 3004 & 3005	175	270.195					
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† HOW MAY I RENEW MY RAP IF IT IS EXPIRING?

to renew expiring RAP, follow application & issuance process in 270 subpart H	175	270.200					
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† WHAT HAPPENS IF I HAVE APPLIED CORRECTLY FOR A RAP RENEWAL BUT HAVE NOT RECEIVED APPROVAL BY THE TIME MY OLD RAP EXPIRES?

if RAP renewal application has been submitted, but no new RAP has been issued before expiration date, previous RAP conditions continue	175	270.205					
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CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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

† WHAT RECORDS MUST I MAINTAIN CONCERNING MY RAP?

records are required of:	175	270.210 intro					
data used to complete applications & supplemental information submitted, for at least 3 years; and	175	270.210(a)					
any operating and/or other records the Director requires	175	270.210(b)					

† HOW ARE TIME PERIODS IN THE REQUIREMENTS IN THIS SUBPART AND MY RAP COMPUTED?

any time period scheduled to begin on occurrence of act or event begins on day after act or event	175	270.215(a)					
any time period scheduled to begin before occurrence of act or event is computed so period ends on day before act or event	175	270.215(b)					
if final day of time period falls on weekend or holiday, extend time period to next working day	175	270.215(c)					
whenever party must act within prescribed period & is served notice by mail, add 3 days to prescribed period	175	270.215(d)					

† HOW MAY I TRANSFER MY RAP TO A NEW OWNER OR OPERATOR?

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
when transferring RAP to new owner/operator, follow requirements for RAP modification; not "significant" modifications for purposes of 270.170; revised RAP application submitted by new owner/operator no later than 90 days before change along with transfer of responsibility date	175	270.220(a)					
when ownership transfer occurs, old owner/operator must comply with 264 subpart H until new owner/operator demonstrates compliance with 264 subpart H; new owner/operator must demonstrate compliance with 264 subpart H within 6 months; when new owner/operator compliance demonstrated, Director notifies old owner/operator	175	270.220(b)					

† WHAT MUST THE STATE OR EPA REGION REPORT ABOUT NONCOMPLIANCE WITH RAPs?

State or EPA Region must report RAP noncompliance according to 270.5	175	270.225					
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† MAY I PERFORM REMEDIATION WASTE MANAGEMENT ACTIVITIES UNDER A RAP AT A LOCATION REMOVED FROM THE AREA WHERE THE REMEDIATION WASTES ORIGINATED?

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
remediation waste management RAP may be requested for location removed from area of waste origination if location is more protective	175	270.230(a)					
if Director determines location removed from area of waste origination is more protective, RAP for alternative location may be approved	175	270.230(b)					
RAP must be requested and approved or denied, according to 270 subpart H requirements	175	270.230(c)					
RAP for alternative location must also meet following:	175	270.230(d) intro					
issued to person responsible for cleanup from which remediation wastes originated;	175	270.230(d)(1)					
subject to expanded public participation requirements in 124.31-124.33;	175	270.230(d)(2)					
subject to public notice requirements in 124.10(c);	175	270.230(d)(3)					
site may not be within 61 meters or 200 feet of a fault;	175	270.230(d)(4)					
alternative locations are waste remediation sites and retain following benefits:	175	270.230(e)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
facility-wide corrective action exclusion under 264.101; and	175	270.230(e)(1)					
application of 264.1(j) in lieu of 264, subparts B, C, & D	175	270.230(e)(2)					

SUBPART I - INTEGRATION WITH MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) STANDARDS

†, 38 OPTIONS FOR INCINERATORS AND CEMENT AND LIGHTWEIGHT AGGREGATE KILNS TO MINIMIZE EMISSIONS FROM STARTUP, SHUTDOWN, AND MALFUNCTION EVENTS

facilities with existing permits	197	270.235(a)					
revisions to permit conditions after documenting compliance with MACT; owner/operator of RCRA-permitted incinerator, cement kiln or lightweight aggregate kiln may request Director address permit conditions that minimize emissions from startup, shutdown & malfunction under following options when requesting removal of permit conditions that are no longer applicable under 264.340(b) and 266.100(b)	197	270.235(a)(1)					
retain relevant permit conditions; under this option, Director will:	197	270.235(a)(1)(i)					
address releases during startup, shutdown & malfunction as defined	197	270.235(a)(1)(i) (A)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
under 63.1206(c)(2); and							
limit applicability to operation under startup, shutdown & malfunction plan	197	270.235(a)(1)(i) (B)					
revise relevant permit conditions	197	270.235(a)(1)(ii)					
under this option, the Director will:	197	270.235(a)(1)(ii) (A)					
identify subset of relevant existing permit requirements or develop alternative requirements, that ensure emissions from startup, shutdown & malfunction are minimized, based on information review	197	270.235(a)(1)(ii) (A)(1)					
retain or add permit requirements to apply only when operating under startup, shutdown & malfunction	197	270.235(a)(1)(ii) (A)(2)					
changes that may significantly increase emissions	197	270.235(a)(1)(ii) (B)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Director must be notified in writing of startup, shutdown & malfunction plan or design changes that may significantly increase emissions of toxic compounds; notification within five days; notification must recommend permit revisions to ensure emissions of toxic compounds are minimized	197	270.235(a)(1)(ii) (B)(1)					
Director may revise permit conditions as a result of changes:	197	270.235(a)(1)(ii) (B)(2)					
upon permit renewal, or if warranted:	197	270.235(a)(1)(ii) (B)(2)(i)					
by permit modification under 270.41(a) or 270.42	197	270.235(a)(1)(ii) (B)(2)(ii)					
remove permit conditions; under this option:	197	270.235(a)(1)(iii)					
owner/operator must document that startup, shutdown & malfunction plan has been approved by Administrator; and	197	270.235(a)(1)(iii) (A)					
Director will remove permit conditions no longer applicable under 264.340(b) & 266.100(b)	197	270.235(a)(1)(iii) (B)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
addressing permit conditions upon permit reissuance; under specific conditions, owner/ operator may request in application to reissue permit that Director control emissions from startup, shutdown & malfunction under following options:	197	270.235(a)(2)					
RCRA option A	197	270.235(a)(2)(i)					
under this option, the Director will:	197	270.235(a)(2)(i) (A)					
include conditions that ensure compliance with 264.345(a)&(c) or 266.102(e)(1) & (e)(2) (iii) to minimize emissions of toxic compounds; and	197	270.235(a)(2)(i) (A)(I)					
specify that permit requirements apply only when operating under startup, shutdown & malfunction plan; or	197	270.235(a)(2)(i) (A)(2)					
RCRA option B	197	270.235(a)(2)(ii)					
under this option, the Director will:	197	270.235(a)(2)(ii) (A)					
include conditions that ensure emissions of toxic compounds are minimized from startup, shutdown & malfunction, based on information review; and	197	270.235(a)(2)(ii) (A)(I)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
specify that permit requirements apply only when operating under startup, shutdown & malfunction plan	197	270.235(a)(2)(ii)(A)(2)					
changes that may significantly increase emissions	197	270.235(a)(2)(ii)(B)					
Director must be notified in writing of startup, shutdown & malfunction plan or design changes that may significantly increase emissions of toxic compounds; notification within five days; notification must recommend permit revisions to ensure emissions of toxic compounds are minimized	197	270.235(a)(2)(ii)(B)(1)					
Director may revise permit conditions as a result of changes:	197	270.235(a)(2)(ii)(B)(2)					
upon permit renewal, or if warranted:	197	270.235(a)(2)(ii)(B)(2)(i)					
by permit modification under 270.41(a) or 270.42; or	197	270.235(a)(2)(ii)(B)(2)(ii)					
CAA option; under this option:	197	270.235(a)(2)(iii)					
owner/operator must document that startup, shutdown & malfunction plan has been approved by Administrator; and	197	270.235(a)(2)(iii)(A)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Director will omit permit conditions no longer applicable under 264.340(b) & 266.100(b)	197	270.235(a)(2)(iii) (B)					
interim status facilities	197	270.235(b)					
interim status operations; incinerator, cement kiln or lightweight aggregate kiln operating under interim status of 265 or 266 may control emissions during startup, shutdown & malfunction under either option after conducting a comprehensive performance test & submitting Notification of Compliance to Administrator:	197	270.235(b)(1)					
RCRA option; continued compliance with interim status standards of 265 or 266; those standards apply only during startup, shutdown and malfunction; or	197	270.235(b)(1)(i)					
CAA option; owner/operator is exempt from interim status standards of 265 or 266 relevant to toxic compound emissions control during startup, shutdown & malfunction upon written notification & documentation to Director that startup,	197	270.235(b)(1)(ii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
shutdown & malfunction plan has been approved by Administrator							
operations under a subsequent RCRA permit; when an owner/operator of a incinerator, cement kiln or lightweight aggregate kiln operating under interim status of 265 or 266, submits RCRA permit application, they may request the Director control emissions from startup, shutdown & malfunction under any of the options of 270.235(a)(2)(i)-(iii)	197	270.235(b)(2)					

MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF PERMITS

who initiates a modification, revocation and reissuance or termination of permit; reasons these actions can be taken	V,70	124.5(a)					
modify or revoke and reissue procedures:	V,†54,70	124.5(c)(1)					
only those conditions to be modified shall be reopened; entire permit is reopened if permit revoked and reissued	V	124.5(c)(2)					
minor modifications are not subject to 124.5	V,†54,70	124.5(c)(3)					
@ termination procedures; notice of intent to terminate	V,70	124.5(d)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
DRAFT PERMITS							
@ decision to prepare draft or deny application	V	124.6(a)					
@	V	124.6(d)					
contents of a draft permit	V,70	124.6(d)(1)					
		124.6(d)(2)					
		124.6(d)(3)					
		124.6(d)(4)(i)					
@ statement of basis or fact sheet accompanies draft permit; available to public; public hearing; issue final decision; respond to comments; appeals	V	124.6(e)					
FACT SHEET							
@ what the fact sheet must be prepared for; what the sheet will set forth; who receives fact sheet	V	124.8(a)					
@	V	124.8(b)					
what the fact sheet shall include		124.8(b)(1)					
		124.8(b)(2)					
		124.8(b)(4)					
		124.8(b)(5)					
		124.8(b)(6)					
		124.8(b)(6)(i)-(iii)					
		124.8(b)(7)					
PUBLIC NOTICE OF PERMIT ACTIONS AND PUBLIC COMMENT PERIOD							
@ what the Director must give public notice of	V	124.10(a)(1)					
		124.10(a)(1)(ii)					
		124.10(a)(1)(iii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
① timing of public notice	V	124.10(b)(1)					
		124.10(b)(2)					
① how public notice shall be given	V	124.10(c)					
①,39 by mail; persons to whom notice must be mailed	V	124.10(c)(1)					
		124.10(c)(1)(i)					
		124.10(c)(1)(ii)					
	V,70	124.10(c)(1)(iii)					
		124.10(c)(1)(ix)					
		124.10(c)(1)(ix)(A)					
		124.10(c)(1)(ix)(B)					
		124.10(c)(1)(ix)(C)					
		124.10(c)(1)(x)(A)&(B)					
① publication in a newspaper	V	124.10(c)(2)(i)					
		124.10(c)(2)(ii)					
① legal notice to public under State law	V	124.10(c)(3)					
① any other method to give notice to persons potentially affected	V	124.10(c)(4)					
		124.10(d)(1)					
① minimum information which must be contained in a public notice	V	124.10(d)(1)(i)					
		124.10(d)(1)(ii)					
		124.10(d)(1)(iii)					
		124.10(d)(1)(iv)					
		124.10(d)(1)(v)					
		124.10(d)(1)(vi)					
		124.10(d)(1)(ix)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
① public notices for hearings; contents	V	124.10(d)(2)					
		124.10(d)(2)(i)					
		124.10(d)(2)(ii)					
		124.10(d)(2)(iii)					
① all persons identified in 124.10(c)(1)(i)-(iv) must be mailed fact sheet, the permit application and the draft permit	V	124.10(e)					

PUBLIC COMMENTS AND REQUESTS FOR PUBLIC HEARINGS

① procedures	V	124.11					
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PUBLIC HEARINGS

① when director must or may hold a public hearing; how public notice shall be given	V	124.12(a)(1)					
	V,70	124.12(a)(2)					
	V	124.12(a)(3)					
		124.12(a)(4)					

RESPONSE TO COMMENTS

① Director's response to comments and what it must contain	V	124.17(a)					
		124.17(a)(1)					
		124.17(a)(2)					
① response to comments available to the public	V	124.17(c)					

SUBPART B - SPECIFIC PROCEDURES APPLICABLE TO RCRA PERMITS

40 PRE-APPLICATION PUBLIC MEETING AND NOTICE

requirements of this section apply to part B applications seeking initial permits for hazardous waste management units; these requirements also apply to part B permit applications seeking	148	124.31(a)					
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CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
permit renewal which proposes a significant change in the facility operations; definition of "significant change"; definition of "hazardous waste management units over which EPA has permit issuance authority"; the requirements of 124.31 do not apply to 270.42 permit modifications or applications submitted solely for post-closure activities or post-closure activities and corrective action at a facility							
prior to submission of part B permit application, the applicant must hold at least one public meeting; the applicant shall post a sign-in sheet for attendees	148	124.31(b)					
the applicant shall submit a summary of the meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting as part of the part B application, in accordance with 270.14(b)	148	124.31(c)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the applicant must provide public notice of the pre-application meeting at least 30 days prior to the meeting; must maintain and provide documentation of public notice to the permitting agency upon request	148	124.31(d)					
the applicant shall provide public notice in all of the following forms:	148	124.31(d)(1)					
newspaper advertisement, as specified	148	124.31(d)(1)(i)					
visible and accessible sign, as specified	148	124.31(d)(1)(ii)					
broadcast media announcement, as specified	148	124.31(d)(1)(iii)					
notice to the permitting agency and units of state and local government, as specified	148	124.31(d)(1)(iv)					
the notices required under 124.31(d)(1) must include:	148	124.31(d)(2)					
date, time, and location of the meeting	148	124.31(d)(2)(i)					
brief description of the purpose of the meeting	148	124.31(d)(2)(ii)					
brief description of the facility and proposed operations, including address or map	148	124.31(d)(2)(iii)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access	148	124.31(d)(2)(iv)					
name, address, and telephone number of a contact person for the applicant	148	124.31(d)(2)(v)					

40 PUBLIC NOTICE REQUIREMENTS AT THE APPLICATION STAGE

requirements of this section apply to part B applications seeking initial permits for hazardous waste management units; these requirements also apply to part B permit applications seeking permit renewal for such units under 270.51; definition of "hazardous waste management units"; the requirements of 124.32 do not apply to 270.42 permit modifications or applications submitted solely for post-closure activities or post-closure activities and corrective action at a facility	148	124.32(a)					
notification at application submittal	148	124.32(b)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the Director shall provide public notice as set forth in 124.10(c)(1)(ix) and notice to appropriate units of State and local government as set forth in 124.10(c)(1)(x), that a part B application has been submitted	148	124.32(b)(1)					
notice shall be published within a reasonable period of time after the application is received by the Director; the notice must include:	148	124.32(b)(2)					
name and telephone number of the applicant's contact person	148	124.32(b)(2)(i)					
name, telephone number, and mailing address of the permitting agency's contact office	148	124.32(b)(2)(ii)					
address to which people can write in order to be put on the facility mailing list	148	124.32(b)(2)(iii)					
location where copies of the permit application and any supporting documents can be viewed and copied	148	124.32(b)(2)(iv)					
brief description of the facility and proposed operations, including address or map, on the front page of the notice	148	124.32(b)(2)(v)					
date the application was submitted	148	124.32(b)(2)(vi)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
concurrent with the notice required under 124.32(b), the Director must place the permit application and any support documents in a location accessible to the public in the vicinity of the facility or at the permitting agency's office	148	124.32(c)					

40 INFORMATION REPOSITORY

requirements of this section apply to all applications seeking permits for hazardous waste management units; definition of "hazardous waste management units"	148	124.33(a)					
the Director may assess the need, on a case-by-case basis, for an information repository; he shall consider a variety of factors, including level of public interest, type of facility, presence of existing repository, and proximity to nearest copy of administrative record; if a need is determined, the Director shall notify the facility to establish and maintain a repository	148	124.33(b)					
the repository shall contain all documents, reports, data, and information deemed necessary by the Director	148	124.33(c)					

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (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
the repository shall be located and maintained at a site chosen by the facility; if the site is unsuitable, the Director shall specify a more appropriate site	148	124.33(d)					
the Director shall specify requirements for informing the public about the repository; at a minimum, the Director shall require the facility to provide a written notice about the repository to all persons on the facility mailing list	148	124.33(e)					
the facility owner or operator shall be responsible for maintaining and updating the repository; the Director may close the repository at his discretion based on factors in 124.33(b)	148	124.33(f)					

@ Procedural requirement. For explanation, see the instructions for the Consolidated Base Program Checklists at the beginning of Appendix K.

These provisions were not included in Base Program Checklist V, but were listed as provisions under 271.14 which States must have the legal authority to implement. Thus, if States do not have these provisions in their code, they must demonstrate legal authority to carry them out.

U Note that the June 19, 1998 rule addressed by this checklist makes amendments addressing the Clean Air Regulations. These changes are not necessary for RCRA authorization for this rule; however, of concern are those places within the RCRA regulations which reference changes made to the Clean Air Regulations. In these situations, a State must reference regulations analogous to the referenced provisions. A State may, if it has chosen to adopt these optional Clean Air Regulation changes, reference its own corresponding analog. If choosing not to adopt them, a State should retain the reference to the Federal regulations. Those provisions where this issue of concern have been indicated with a "U" in the far left margin.

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

- 1 While included in the July 30, 1989 version of this consolidated checklist, 270.1(a) & (b) were removed from subsequent versions of this consolidated checklist because EPA does not consider them essential for a State to be authorized for a permit program. States may include analogous paragraphs of code if they so choose, however.
- 2 States should adopt 270.1(c)(2)(viii)(A)-(C) 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 Revision Checklist 144 (60 FR 33912; June 29, 1995) removed the definitions of "Phase I" and "Phase II" from § 270.2.
- 5 Revision Checklist 100 reorganized this paragraph so that portions of 270.4(a) are moved to subparagraphs (a)(1)&(2). This checklist also added a new subparagraph 270.4(a)(3).
- 6 Note that the 17 M & †17 M designation is correct. Revision Checklist 17 M deleted the old 270.10(f)(3) provision that allows a person to begin physical construction of a new hazardous waste management facility subsequent to November 19, 1980, but prior to the effective date of the unit-specific Part 264 Standards in limited circumstances. The Agency felt that this provision was legally inconsistent with the general preconstruction ban. This removal is required. However, the Agency added the 3005(a) TSCA exemption to 270.10(f)(3). Inclusion of this exemption is considered optional as indicated on Revision Checklist 17 M.
- 7 This provision was introduced as 40 CFR 270.11(d); Revision Checklist 175 (63 FR 65874; November 30, 1998) redesignated it as 40 CFR 270.11(d)(1). In redesignating 270.11(d) as 270.11(d)(1), in the November 30, 1998 rule (63 FR 65941), it appears as though the title of paragraph (d), "*Certification*", has been removed. It is assumed that 270.11(d) intro remains in the code but only contains the paragraph's title, "*Certification*".
- 8 In the November 30, 1998 rule (63 FR 65874), there appears to be an omission in 270.11(d)(1). Following "paragraph (a) or (b) of this" the word "section" should be reinserted to refer to 270.11(a) & (b).
- 9 See guidance on contents of the application found in the instructions to the Consolidated Base Program Checklists.
- 10 The internal reference at 270.14(b)(5) should be "264.193(i)" instead of "265.193(i)" as indicated in the December 6, 1994 rule (59 FR 62896, Revision Checklist 154).
- 11 Note that there is an error in the Federal Register addressed by Revision Checklist 38 (52 FR 23447; June 22, 1987). The reference to 264.98(h)(5) should be 264.98(g)(5).
- 12 Revision Checklist 100 (57 FR 3462; January 29, 1992) redesignated paragraphs 270.17(b)(2) and (b)(3), as introduced by Checklist V, as 270.17(b)(6) and (b)(7). This same checklist revised 270.17(b) and added new paragraphs 270.17(b)(2), (b)(3), (b)(4), and (b)(5).

CONSOLIDATED CHECKLIST C9
40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

- 13 Paragraphs 270.17(c)-(i) were originally introduced to the Federal code by Base Program Checklist V. Revision Checklist 14 subsequently introduced 270.17(j). The July 15, 1985, Federal Register (50 FR 28752) removed the original paragraph (c) and redesignated paragraphs (d)-(j) as (c)-(i). The July 15, 1985, rule is addressed by Revision Checklists 17 A through 17 S, however, these changes were not included in those checklists. Therefore, the "Checklist Reference" column does not contain a checklist that addresses the changes.
- 14 The final rule at 50 FR 28752, addressed by Revision Checklists 17 A through 17 S, revised this subparagraph, however, this change was not included in any of these checklists. Therefore, the "Checklist Reference" column does not contain a checklist that addresses the changes made by that rule.
- 15 Subparagraph 270.18(c)(1) as introduced by Checklist V was revised and then redesignated as 270.18(c)(1)(i) by Revision Checklist 100 (57 FR 3462; January 29, 1992). This same checklist also added new subparagraphs 270.18(c)(1)(ii), (c)(1)(iii), (c)(1)(iv), and (c)(1)(v).
- 16 Base Program Checklist V originally introduced 270.18(d)-(i). Revision Checklist 14 subsequently introduced 270.18(j). The July 15, 1985, Federal Register (50 FR 28752), addressed by Revision Checklists 17 A through 17 S, removed paragraph (d) and redesignated paragraphs (e)-(j) as (d)-(i). This change was not included in any of these checklists, therefore, the "Checklist Reference" column does not include a checklist that addresses the change.
- 17 States that adopt the optional exemption at 264.340(b)(1) introduced by Revision Checklist 182 (64 FR 52828; September 30, 1999), must adopt all revisions to 264.340, 270.19, and 270.62.
- 18 The Federal Register notice represented by Revision Checklist 182 (64 FR 52828; September 30, 1999) contains errors at 270.19 intro. Within the introductory paragraph at 270.19, "and § 270.19(e)" should be inserted after "§ 264.340" not after "of this chapter". The word "chapter" should not be capitalized in keeping with previous CFR format.
- 19 Subparagraph 270.21(b)(1) as introduced by Checklist V was revised and then redesignated as 270.21(b)(1)(i) by Revision Checklist 100 (57 FR 3462; January 29, 1992). This same checklist also revised 270.21(b) and added new subparagraphs 270.21(b)(1)(ii), (b)(1)(iii), (b)(1)(iv), and (b)(1)(v).
- 20 Note that in the Federal Register addressed by Revision Checklist 100, 270.21(d) is incorrectly designated as 270.21(c) (see 57 FR 3496; January 29, 1992). Because of this error, paragraph 270.21(c), as introduced by Base Program Checklist V, has erroneously been deleted from the Federal code. In the 1996 CFR, the language at 270.21(c) is the revised language intended for 270.21(d) by Revision Checklist 100. 270.21(d), as found in the 1996 CFR, is the version without the Revision Checklist 100 amendment (i.e., 270.21(d) as introduced into the Federal code by Base Program Checklist V). States are advised to retain the 270.21(c) language as found in the 1991 CFR and make the Revision Checklist 100 changes in their analogs to 270.21(d).
- 21 Note that the Boilers and Industrial Furnaces Rule (56 FR 7134; February 21, 1991; Revision Checklist 85) inadvertently removed Part B Drip Pad requirements from the code at 270.22 by placing analogous Part B requirements for Boilers and Industrial Furnaces there. The July 1, 1991 (56 FR 30192; Revision Checklist 92) Wood Preserving technical corrections notice rectified this problem by redesignating the drip pad requirements as 270.26.
- 22 States that adopt the optional exemption at 266.100(b)(1) must adopt all the revisions to 266.100(b), 270.22, and 270.66. The State may also need to renumber its analogs to the old 266.100(b)-(f) and update the internal reference to "(c)(3)" in the old 266.100(c)(1) to be consistent with the renumbering.

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- 23 Revision Checklist 54 modified this paragraph, including the removal of 270.41(a)(3)(i)-(iii). However, these are optional changes, and States not adopting the modifications of Revision Checklist 54 should have code equivalent to that in the July 1, 1988 CFR.
- 24 Subparagraph 270.41(a)(5) originally appeared in Checklist V. Revision Checklist 17 N added 270.41(a)(6). Revision Checklist 54 removed the original text at 270.41(a)(5) and redesignated 270.41(a)(6) as 270.41(a)(5).
- 25 Section 270.42 existed as part of the original promulgated code but was not included in Checklist V for the base program. Checklist 54 completely revises and supersedes the original 270.42, including removing 270.42(i)-(p).
- 26 Revision Checklist 24 modified the original 270.42(d); Revision Checklist 54 completely revised it.
- 27 Revision Checklist 156 redesignated 270.42(h) as 270.42(i) and added a new paragraph at 270.42(h).
- 28 Revision Checklist 34 added 270.42(o) and 270.42(o)(1)-(4) to the Federal code, and Revision Checklist 39 modified 270.42(o)(1) and (2) and added 270.42(p) and 270.42(p)(1)-(3). Revision Checklist 54 subsequently removed 270.42(i)-(p). Revision Checklist 156 redesignated 270.42(h) as 270.42(i). Revision Checklist 168 added new paragraphs at 270.42(j) through 270.42(j)(2). Therefore, the removed paragraphs are indicated as 270.42(k)-(p).
- 29 Amended by the May 14, 2001 (66 FR 24270) rule which addresses the *Chemical Manufacturers Association v. EPA*, 217 F. 3d 861 (D. C. Cir. 2000) decision, where the court vacated the Notice of Intent to Comply (NIC) provisions of EPA's rules relating to the standards for hazardous waste combustors.
- 30 Appendix I was introduced by Revision Checklist 54 as an optional modification to Section 270.42. Changes to this appendix addressed by subsequent checklists are relevant only if a State has modified its code to include Appendix I as per Revision Checklist 54.
- 31 States that have adopted the optional Revision Checklist 168 entry at L(9) of this table, should adopt the technical correction made by this checklist.
- 32 The rule addressed by Revision Checklist 148 (December 11, 1995; 60 FR 63417) redesignated the former 270.62(b)(6)-(10) as 270.62(b)(7)-(11). The rule then introduced a new 270.62(b)(6).
- 33 The rule addressed by Revision Checklist 148 (December 11, 1995; 60 FR 63417) redesignated the former 270.66(d)(3)-(5) as 270.66(d)(4)-(6) and introduced a new 270.66(d)(3).
- 34 There is a typographical error at 270.66(g); at 60 FR 63434, "§ 266.104 through 266.107" should be "§§ 266.104 through 266.107".
- 35 The November 30, 1998 (64 FR 65874) rule adds a new section at 270.68. There is no § 270.67; therefore, it is assumed to be reserved.
- 36 In the November 30, 1998 rule (63 FR 65874) EPA has replaced the ending "; or" with a period. This appears to be an error as interim status terminates when either 270.73(a) or 270.73(b) occurs. When adopting this Rule, States are advised to leave the ending "; or" intact at 270.73(a).
- 37 Revision Checklist 17 P introduced 270.73(e) and (f) to the Federal code. Revision Checklist 61 added a new 270.73(e)

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40 CFR Parts 270 and 124 as of **December 31, 2002** (cont'd)

and redesignated the original 270.73(e) and (f) as 270.73(f) and (g).

38 **40 CFR part 270, Subpart I was added by Revision Checklist 197 (67 FR 6792; February 13, 2002).**

39 The July 26, 1988 Federal Register (53 FR 28118) redesignated 124.10(c)(1)(viii) and (ix) as (c)(1)(ix) and (x). These changes were addressed by Revision Checklist 70.

40 See the special guidance in the summary for Revision Checklist 148 regarding State adoption of these paragraphs.