

## Revision Checklist 181 Summary

<b>Rule Title:</b>	Hazardous Waste Management System; Modification of the Hazardous Waste Program; Hazardous Waste Lamps; Final Rule
<b>Checklist Title:</b>	Universal Waste Rule: Specific Provisions for Hazardous Waste Lamps
<b>Reference:</b>	64 <u>FR</u> 36466-36490
<b>Promulgation Date:</b>	July 6, 1999
<b>Effective Date:</b>	January 6, 2000
<b>Cluster:</b>	RCRA Cluster X
<b>Provision Type:</b>	Non-HSWA
<b>Linkage:</b>	Revision Checklists 142A
<b>Optional:</b>	Yes -- 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. No -- for States that have added spent lamps to their universal waste program but do not regulate spent lamps as stringently as the Federal program.

**Summary:** With this rule, EPA adds spent hazardous waste lamps to the list of universal wastes. Handlers of universal wastes are subject to less stringent standards for storing, transporting, and collecting these wastes. The streamlined universal waste management requirements under 40 CFR Part 273 should lead to better management of spent lamps and will facilitate compliance with hazardous waste requirements.

**State Authorization:** This rule is placed in RCRA Cluster X. The State modification deadline is July 1, 2001 (or July 1, 2002 if a State statutory change is necessary). These changes do not go into effect until States become authorized for them because this rule was promulgated under pre-HSWA authorities. Only final authorization is available.

While this rule is less stringent than the current Federal program and therefore optional, EPA strongly encourages States to adopt the universal waste regulations for spent lamps because it will assist in achieving the benefits of the universal waste program. It should be noted that a number of states have already added spent lamps to their universal waste programs. In the cases where a State's standards for spent lamps are less stringent than those in this rulemaking, the State will have to amend its regulations so they are equivalent to the Federal standards. In these cases, the Federal spent lamp management standards in this rule are not optional.

The State Revision Application must include applicable statutes and regulations, Revision Checklist 181, and other application materials, i.e. a supplemental AG statement, a program description, and/or an MOA, as determined by the Regional office. Note that under 271.21(b), the Regional office is allowed flexibility to determine what specific documents must be included in an application. Also, under

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40 CFR 271.21(d), the Regional office may require the submission of any additional application materials it deems necessary.

**Attorney General's Statement Entry:** The following entry should be placed at Subsection XXIII (F) in the Model Revision Attorney General's Statement.

F. [OPTIONAL: This is a reduced requirement. However, this requirement and the requirements at Subsection XXIII A are necessary for authorization of this requirement.] State statutes and regulations include spent hazardous waste lamps as a universal waste as indicated in Revision Checklist 181.

Federal Authority: RCRA §§3001, 3002, 3003, 3004, 3005, 3010, 3013, 3017, and 7004; 40 CFR 260.10, 261.9(b)-(d), 264.1(g)(11)(ii)-(iv), 265.1(c)(14)(ii)-(iv), 268.1(f)(2)-(4), 270.1(c)(2)(viii)(B)-(D), 273.1(a)(2)-(4), 273.2(a)(1), 273.2(b)(2)&(3), 273.3(a), 273.4(a), 273.5, 273.6, 273.7, 273.8, 273.9, 273.10, 273.13(d), 273.14(e), 273.30, 273.32(b)(4)&(5), 273.33(d), 273.34(e), 273.50, 273.60(a), and 273.81(a) as amended July 6, 1999 (64 FR 36466).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

**Incorporation by Reference Guidance:** There is no special guidance for States that incorporate by reference with respect to this Revision Checklist.