

CONSOLIDATED CHECKLIST C7

Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities 40 CFR Part 266 as of June 30, 2018

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART A - [RESERVED]							
SUBPART B - [RESERVED]							
SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL							
APPLICABILITY							
applied to or placed on the land:	13	266.20(a)					
without mixing	13	266.20(a)(1)					
after mixing or in combination	13, 37	266.20(a)(2)					
subparagraph removed	13, 37	266.20(a)(3)					
products for general public’s use; must have undergone chemical reaction so they are inseparable and must meet treatment standards of 268, Subpart D; recycler complies with § 268.7(b)(6)	13, 50, 66, 200, 223, 228	266.20(b)					
uses of slags from HTMR processing of hazardous wastes K061, K062 and F006 not covered by 266.20(b)	136	266.20(c)					
Fertilizers that contain recyclable materials are not subject to regulation provided that they meet certain conditions	200	266.20(d)					
STANDARDS APPLICABLE TO GENERATORS AND TRANSPORTERS OF MATERIALS USED IN A MANNER THAT CONSTITUTES DISPOSAL							
generator and transporter requirements	13	266.21					
STANDARDS APPLICABLE TO STORERS OF MATERIALS THAT ARE TO BE USED IN A MANNER THAT CONSTITUTES DISPOSAL WHO ARE NOT THE ULTIMATE USERS							
requirements for storers of material	13, 223	266.22					
STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT CONSTITUTES DISPOSAL ⁸							
requirements for users of material	13, 17 G, 137	266.23(a)					
use of dioxin-contaminated material is	17 G	266.23(b)					

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prohibited							
SUBPART D - [RESERVED]							
Subpart D removed and reserved	13, 19, 85	266.30-266.35					
CONDITIONAL EXEMPTION FOR SPENT MATERIALS AND BY-PRODUCTS EXHIBITING A CHARACTERISTIC OF HAZARDOUS WASTE							
removed	†13, 19	266.36					
SUBPART E - USED OIL BURNED FOR ENERGY RECOVERY							
APPLICABILITY							
Subpart E removed and reserved	19, 94, 96, 112	266.40-266.44					
SUBPART F - RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL RECOVERY APPLICABILITY AND REQUIREMENTS							
reclamation of recyclable materials to recover precious metals	13, 214	266.70(a)					
requirements for generators, transporters or storers	13, 236	266.70(b)					
Section 3010 of RCRA for Notification	13, 236	266.70(b)(1)					
Part 262 subpart B for generators; 263.20 and 263.21 for transporters; 265.71 and 265.72 for storers; and	13, †152, 236	266.70(b)(2)					
†, 4 Part 262 subpart H and 265.12 for precious metals exported to or imported from OECD countries for recovery	152, 236	266.70(b)(3)					
record keeping requirements for storers	13	266.70(c)					
		266.70(c)(1)					
		266.70(c)(2)					
		266.70(c)(3)					
applicable provisions for materials accumulated speculatively	13, 223	266.70(d)					
SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED APPLICABILITY AND REQUIREMENTS							
if spent lead-acid batteries are generated, collected, transported, stored, or regenerated for reclamation, they may be exempt from certain	13, †142 B, †176, 237	266.80(a)					

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requirements; use table shown within this provision to determine applicable requirements; alternatively, the part 273 Universal Waste rule may be used to manage spent lead-acid batteries							
5 spent lead-acid batteries exemptions	†176, 214, 222, 236, 237	266.80(a)/Table					
Error! Bookmark not defined. spent lead-acid batteries that are stored prior to being reclaimed through any means except regeneration, are subject to 266.80(b) requirements; requirements differ slightly depending upon RCRA permit status	13, †142 B, †176, 223	266.80(b)					
Error! Bookmark not defined. d., 6 interim status facilities must comply with specified requirements	13, †176	266.80(b)(1)					
		266.80(b)(1)(i)					
		266.80(b)(1)(ii)					
		266.80(b)(1)(iii)					
		266.80(b)(1)(iv)					
		266.80(b)(1)(v)					
		266.80(b)(1)(vi)					
		266.80(b)(1)(vii)					
Error! Bookmark not defined. d., 6 permitted facilities must comply with specified requirements	13, †176	266.80(b)(2)					
		266.80(b)(2)(i)					
		266.80(b)(2)(ii)					
		266.80(b)(2)(iii)					
		266.80(b)(2)(iv)					
		266.80(b)(2)(v)					

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		266.80(b)(2)(vi)					
		266.80(b)(2)(vii)					
removed	13, †176	266.80(b)(3)					
		266.80(b)(4)					

7 SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES
(EFFECTIVE AUGUST 21, 1991)

APPLICABILITY

8	regulations apply to hazardous waste burned or processed in a boiler or industrial furnace, irrespective of purpose, except as 266.100(b), (c),(d), (g), and (h) provide; definition of "burn"; 266.104-266.107 emissions standards apply to interim status or permitted facilities	85, 96, †98, †105, 111, 198	266.100(a)				
†, 9, 11	integration of the MACT standards	182	266.100(b) intro				
†, 9, 11	part 266 standards do not apply to new boilers or industrial furnace units; or no longer apply when existing boilers or industrial furnace units demonstrate compliance with MACT requirements; part 266 conditions continue until removed from permit, or permit is terminated or revoked	182, ††198, 212	266.100(b)(1)				
†, 9, 11	following standards continue to apply:	182	266.100(b)(2) intro				
†, 9, 11	when complying with 270.235(a)(1)(i) to minimize emissions of	197	266.100(b)(2)(i)				

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	toxic compounds from startup, shutdown and malfunction, 266.102(e)(1) and (e)(2)(iii) continue to apply							
†, 9, 11	closure requirements of 266.102(e)(11) and 266.103(l)	182, 197	266.100(b)(2)(ii)					
†, 9, 11	direct transfer standards of 266.111;	182, 197	266.100(b)(2)(iii)					
†, 9, 11	standards for regulation of residues of 266.112; and	182, 197, 214	266.100(b)(2)(iv)					
†, 9, 11	applicable requirements of subparts A through H, BB and CC of parts 264 and 265	182, 197	266.100(b)(2)(v)					
	owners/operators of boilers or hydrochloric acid production furnaces that are an area source under § 63.2 who elect not to comply with the emission standards under §§ 63.1216, 63.1217, and 63.1218 remain subject to:	212	266.100(b)(3) intro					
	section 266.105, standards to control particulate matter;	212	266.100(b)(3)(i)					
	section 266.106, standards to control metals emissions, except for mercury; and	212	266.100(b)(3)(ii)					
10	Section 266.107, standards to control hydrogen chloride and chlorine gas.	212, 217	266.100(b)(3)(iii)					
	particulate matter standard of § 266.105 remains in effect for boilers that elect to comply with alternative	212	266.100(b)(4)					

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	to particulate matter standard under §§ 63.1216(e) and 63.1217(e)							
11	hazardous wastes and facilities not subject to regulation under Subpart H:	85, †182	266.100(c)					
11	used oil burned for energy recovery that is hazardous solely because it exhibits a characteristic; regulated under Part 279	85, 112, †182	266.100(c)(1)					
11	gas recovered from landfills and burned for energy recovery	85, 94, †182	266.100(c)(2)					
11, 10, 12	exempt hazardous wastes under 261.4 and 261.6(a)(3)(iii) and (iv); hazardous wastes subject to special requirements for very small quantity generators under §§ 262.13 and 262.14	85, 94, 135, †169, †182	266.100(c)(3)					
11	coke ovens burning only K087	85, †182	266.100(c)(4)					
13	owners and operators of smelting, melting and refining furnaces processing hazardous waste solely for metal recovery conditionally exempt, except for 266.101 and 266.112	85, †182	266.100(d) intro					
13, 14	266.102-266.111 exemption requirements for; lead or nickel-chromium recovery furnace subject to 266.100(d)(3), and lead recovery furnaces subject to Secondary Lead Smelting NESHAP subject to 266.100(h)	85, 96, 137, †182	266.100(d)(1) intro					
13	one-time written notice	85, †182	266.100(d)(1)(i)					

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	indicating:							
13	owner or operator claims 266.100(c) exemption	85, †182	266.100(d)(1)(i)(A)					
13	metal recovery as per 266.100(d)(2) provisions	85, †182, 198	266.100(d)(1)(i)(B)					
13	recoverable levels of metals	85, †182	266.100(d)(1)(i)(C)					
13	compliance with 266.100(c) sampling and analysis and recordkeeping requirements	85, †182	266.100(d)(1)(i)(D)					
13	sample and analyze hazardous waste and other feedstocks as necessary by using appropriate methods; and	85, 96, †182, †208	266.100(d)(1)(ii)					
13	maintain specified records at facility for at least three years	85, †182	266.100(d)(1)(iii)					
13	criteria under which a hazardous waste is not processed solely for metal recovery	85, †182	266.100(d)(2)					
13	total concentration of 261, Appendix VIII organic compounds exceeds 500 ppm by weight and are considered burned for destruction; reduction of organic compound concentration to the 500 ppm limit by bona fide treatment; blending for dilution to meet the 500 ppm limit is prohibited; retention of documentation in records required by 266.100(d)(1)(iii)	85, 96, †182, 198	266.100(d)(2)(i)					
13	heating value of 5,000 Btu/lb or more and considered burned as fuel; reduction of the	85, 96, †182, 198	266.100(d)(2)(ii)					

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	heating value to below 5,000 Btu/lb by bona fide treatment; blending for dilution to meet the 5,000 Btu/lb limit is prohibited; retention of documentation in records required by 266.100(d)(1)(iii)							
13, 14, 15	266.102-266.111 exemption requirements for certain metal recovery furnaces (except those subject to Secondary Lead Smelting NESHAP) written notice to director; 266.100(d)(1) & (d)(3)(i) compliance	96, 137, †182, 198	266.100(d)(3) intro.					
13	exemption from 266.100(d)(1) requirements for hazardous wastes listed in Appendices XI, XII, and XIII, Part 266, and baghouse bags used to capture metallic dusts emitted by steel manufacturing, provided:	96, 137, †182, 198	266.100(d)(3)(i) intro.					
13	waste contains recoverable levels of specified metals	96, 137, †182, 214	266.100(d)(3)(i)(A)					
13	waste does not exhibit the Toxicity Characteristic of 261.24 for an organic constituent	96, †182	266.100(d)(3)(i)(B)					
13	waste is not a hazardous waste listed in Part 261 Subpart D because it is listed for an organic constituent as identified in Appendix VII of Part 261	96, †182	266.100(d)(3)(i)(C)					

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13	certification by owner or operator under 266.100(d)(3) regarding hazardous waste; sampling and analysis or other information to assure compliance; sampling and analysis conducted according to 266.100(d)(1)(ii); maintain records to document compliance with (d)(3) for at least three years	96, †182, 198	266.100(d)(3)(i)(D)					
13	basis for case-by-case decisions regarding toxic organic constituents; metal recovery furnace subject to Subpart H requirements after adequate notice and opportunity for comment; factors Director will consider:	96, 137, †182	266.100(d)(3)(ii)					
13	concentration and toxicity of organic constituents in the material	96, †182	266.100(d)(3)(ii)(A)					
13	level of destruction of toxic constituents provided by the furnace	96, †182	266.100(d)(3)(ii)(B)					
13	acceptable ambient levels established in Appendices IV or V exceeded for any toxic organic compound that may be emitted based on certain conditions	96, †182	266.100(d)(3)(ii)(C)					
16	266.111 direct transfer operation standards apply only to facilities subject to 266.102 or 266.103 standards	85, †182	266.100(e)					

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16	266.112 residue management standards apply to any boiler or industrial furnace burning hazardous waste	85, †182	266.100(f)					
16	conditional exemption from Subpart H requirements for owners or operators of certain smelting, melting, and refining furnaces, except for 266.112; to be exempt from 266.101 through 266.111, an owner or operator must:	96, 111, †182, 214	266.100(g) intro					
16	provide a one-time written notice indicating:	96, †182	266.100(g)(1)					
16	owner or operator claims 266.100(f) exemption	96, †182	266.100(g)(1)(i)					
16	hazardous waste is burned for legitimate recovery of precious metal	96, †182	266.100(g)(1)(ii)					
16	compliance with 266.100(f) sampling and analysis and record keeping requirements	96, †182	266.100(g)(1)(iii)					
16	sample and analyze hazardous waste as necessary to document that waste contains economically significant amounts of the metals and that treatment recovers economically significant amounts of precious metals	96, †182, †208	266.100(g)(2)					
16	maintain specified records at facility for at least three years	96, †182	266.100(g)(3)					

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†, 14	starting June 23, 1997, lead recovery furnaces subject to Secondary Lead Smelting NESHAP are conditionally exempt from 266 subpart H, except 266.101; to be exempt, o/o must provide notice to Director; contents of notice	182	266.100(h)					
MANAGEMENT PRIOR TO BURNING								
	generators of hazardous waste that is burned in a boiler or industrial furnace subject to Part 262	85	266.101(a)					
	transporters of hazardous waste that is burned in a boiler or industrial furnace subject to Part 263	85	266.101(b)					
	storage and treatment facilities	85, 111, 182	266.101(c) intro					
	owners and operators of facilities that store or treat hazardous waste burned in a boiler or industrial furnace subject to the applicable provisions of parts 264, 265, 267 , and 270, except as provided by 266.101(c)(2); standards applicable to storage and treatment by burners and intermediary facilities	85, 111, 182, † 223	266.101(c)(1)					

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generators of hazardous waste who burn on-site in boilers or industrial furnaces exempt from regulation under 266.108 small quantity burner provisions are exempt from the regulations of parts 264, 265, 267 , and 270 applicable to storage units for those storage units that store mixtures of hazardous waste and the primary fuel in tanks that feed mixture directly to burner; hazardous waste storage prior to mixing subject to 266.101(c)(1) regulation	85, 111, †223	266.101(c)(2)					
PERMIT STANDARDS FOR BURNERS							
owners and operators not operating under interim status and not exempt under 266.108 small quantity burner exemption are subject to 266.102, 270.22 and 270.66 requirements	85	266.102(a)(1)					
applicable 264 provisions	85	266.102(a)(2)					
		266.102(a)(2)(i)					
		266.102(a)(2)(ii)					
		266.102(a)(2)(iii)					
		266.102(a)(2)(iv)					
		266.102(a)(2)(v)					
	85, 214	266.102(a)(2)(vi)					
	85	266.102(a)(2)(vii)					
		266.102(a)(2)(viii)					
		266.102(a)(2)(ix)					

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analysis to quantify concentration of any 261, Appendix VIII constituent at levels detectable by appropriate analytical procedures; explanation of constituents excluded from analysis; analysis provides 266 Subpart H, 270.22 and 270.66 information to prescribe permit conditions; analysis included in Part B permit application or in trial burn plan for interim status facilities; owners/operators of units not operating under interim status include 270.22 or 270.66(c) information in Part B application, to extent possible	85, 94, 96, †208	266.102(b)(1)					
sampling and analysis throughout normal operation to ensure permit-specified physical and chemical composition limits are met	85	266.102(b)(2)					
compliance with 266.104 through 266.107 emissions standards	85	266.102(c)					
burn only hazardous wastes specified in permit under 266.102(e) operating conditions; exception for approved trial burns under 270.66 conditions	85	266.102(d)(1)					

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new permit or permit modification necessary to burn hazardous waste not specified in permit; trial burn results or Part B alternative data form basis for new waste operating requirements	85	266.102(d)(2)					
266.103 interim status boilers and industrial furnaces permitted under 270.66(g) procedures	85	266.102(d)(3)					
permit for new boiler or industrial furnace must establish appropriate conditions for each applicable 266.102 requirement in order to comply with specified standards:	85	266.102(d)(4)					
for period beginning with initial introduction of hazardous waste and ending with initiation of trial burn; such period not to exceed 720 hours; operating requirements in compliance with 266.104-266.107 emissions standards; applicable provisions when seeking waiver from a trial burn; extension for up to 720 additional hours by Director based on good cause demonstration	85	266.102(d)(4)(i)					
during trial burn, operating requirements sufficient for 266.104-266.107 emissions compliance and in accordance with approved trial burn plan	85	266.102(d)(4)(ii)					

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immediately after trial burn, for minimum period needed to allow sample analysis, data computation, submission and review of trial burn results, and permit modification, operating requirements to ensure 266.104-266.107 emissions compliance	85	266.102(d)(4)(iii)					
for duration of permit, operating requirements based on trial burn or 270.22 alternative data, sufficient to ensure 266.104-266.107 emissions compliance	85, 94	266.102(d)(4)(iv)					
operating requirements specified in the permit apply at all times where hazardous waste is in unit	85	266.102(e)(1)					
operating conditions, either case-by-case for each hazardous waste to ensure compliance with 266.104(a) DRE performance standard or special operating requirements provided by 266.104(a)(4) DRE trial burn waiver; when no waiver, each set of operating requirements will specify composition of hazardous waste to which they apply; permit-specified operating limits for each hazardous waste include:	85	266.102(e)(2)(i)					
feed rate of hazardous waste and other fuels as per 266.102(e)(6)	85	266.102(e)(2)(i)(A)					

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minimum and maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(2)(i)(B)					
appropriate controls of hazardous waste firing system	85	266.102(e)(2)(i)(C)					
allowable variation in boiler and industrial furnace system design or operating procedures	85	266.102(e)(2)(i)(D)					
minimum combustion gas temperature measured at a location indicative of combustion chamber temperature as per 266.102(e)(6)	85	266.102(e)(2)(i)(E)					
appropriate indicator of combustion gas velocity as per 266.102(e)(6), unless 270.66 documentation	85	266.102(e)(2)(i)(F)					
other operating requirements to ensure 266.104(a) DRE compliance	85	266.102(e)(2)(i)(G)					
permit must incorporate carbon monoxide (CO) limit and, as appropriate, hydrocarbon (HC) limit as per 266.104(b)-(f); permit limits specified:	85	266.102(e)(2)(ii)					
when complying with 266.104(b)(1) CO standard, permit limit is 100 ppmv	85	266.102(e)(2)(ii)(A)					
17 when complying with 266.104(c) alternative CO standard, permit limit based on trial burn, established as specified average, and permit limit for HC is 20 ppmv, except as 266.104(f) provides	85	266.102(e)(2)(ii)(B)					

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when complying with 266.104(f) alternative HC limit, permit limit for HC and CO is baseline level when hazardous waste is not burned	85	266.102(e)(2)(ii)(C)					
no hazardous waste as feed during start-up and shut-down, unless device is operating within permit conditions; exception	85	266.102(e)(2)(iii)					
except as provided in 266.102(e)(3)(ii) and (iii), operating requirements the permit will specify to ensure 266.105 particulate standard compliance:	85	266.102(e)(3)(i)					
total ash feed rate from hazardous waste, other fuels, and industrial furnace feedstocks, as per 266.102(e)(6)	85	266.102(e)(3)(i)(A)					
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(3)(i)(B)					
operation and maintenance controls for hazardous waste firing system and air pollution control system	85	266.102(e)(3)(i)(C)					
allowable variation in system design including air pollution control system or operating procedures	85	266.102(e)(3)(i)(D)					
18 other operating requirements to ensure 266.105(a) particulate standard compliance	85, 214	266.102(e)(3)(i)(E)					

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no permit conditions to ensure particulate standard compliance for 266.105(b) exempt facilities	85	266.102(e)(3)(ii)					
for cement kilns and light-weight aggregate kilns, permit conditions shall not limit ash content of hazardous waste or other feed materials	85	266.102(e)(3)(iii)					
operating requirements the permit will specify to conform with 266.106(b) or (e) Tier I or adjusted Tier I metals feed rate screening limits:	85	266.102(e)(4)(i)					
total feed rate of each metal in hazardous waste, other fuels, and industrial furnace feedstocks as per 266.102(e)(6)	85	266.102(e)(4)(i)(A)					
total feed rate of hazardous waste as per 266.102(e)(6)	85	266.102(e)(4)(i)(B)					
sampling and metals analysis program	85, 94	266.102(e)(4)(i)(C)					
operating requirements the permit will specify to conform with 266.106(c) Tier II metals emission rate screening limits and 266.106(d) Tier III metals controls:	85	266.102(e)(4)(ii)					
maximum emission rate for each metal based on average rate during trial burn	85	266.102(e)(4)(ii)(A)					
feed rate of total and pumpable hazardous waste as per 266.102(e)(6)(i)	85	266.102(e)(4)(ii)(B)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
feed rate of each metal in specified feedstreams, measured and specified as per 266.102(e)(6)	85	266.102(e)(4)(ii)(C)					
	85, 96	266.102(e)(4)(ii)(C)(1)					
		266.102(e)(4)(ii)(C)(2)					
		266.102(e)(4)(ii)(C)(3)					
total feed rate of chlorine and chloride in total feedstreams as per 266.102(e)(6)	85	266.102(e)(4)(ii)(D)					
maximum combustion gas temperature measured at location indicative of combustion chamber temperature as per 266.102(e)(6)	85	266.102(e)(4)(ii)(E)					
maximum flue gas temperature at inlet to particulate matter air pollution control system as per 266.102(e)(6)	85	266.102(e)(4)(ii)(F)					
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(4)(ii)(G)					
operation and maintenance controls of hazardous waste firing system and any air pollution control system	85	266.102(e)(4)(ii)(H)					
allowable variation in system design including air pollution control system or operating procedures	5	266.102(e)(4)(ii)(I)					
other operating requirements to ensure 266.106(c) or (d) metals standards compliance	85	66.102(e)(4)(ii)(J)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
operating requirements the permit will specify to conform with 266.106(f) alternative implementation approach:	85	266.102(e)(4)(iii)					
maximum emission rate for each metal based on average rate	85	266.102(e)(4)(iii)(A)					
feed rate of total and pumpable hazardous waste as per 266.102(e)(6)(i)	85	266.102(e)(4)(iii)(B)					
feed rate of each metal in specified feedstreams, measured and specified as per 266.102(e)(6)	85	266.102(e)(4)(iii)(C)					
	85, 96	266.102(e)(4)(iii)(C)(1)					
		266.102(e)(4)(iii)(C)(2)					
total feed rate of chlorine and chloride in total feedstreams as per 266.102(e)(6)	85	266.102(e)(4)(iii)(D)					
maximum combustion as temperature measured at location indicative of combustion chamber temperature as per 266.102(e)(6)	85	266.102(e)(4)(iii)(E)					
maximum flue gas temperature at inlet to particulate matter air pollution control system as per 266.102(e)(6)	85	266.102(e)(4)(iii)(F)					
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(4)(iii)(G)					
operation and maintenance controls of hazardous waste firing system and any air pollution control system	85	266.102(e)(4)(iii)(H)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
allowable variation in system design including air pollution control system or operating procedures	85	266.102(e)(4)(iii)(I)					
other operating requirements to ensure 266.106(c) or (d) metals standards compliance	85	266.102(e)(4)(iii)(J)					
operating requirements the permit will specify to ensure 266.107(b)(1) Tier I total chloride and chlorine feed rate screening limits conformance:	85	266.102(e)(5)(i)					
feed rate of total chloride and chlorine in hazardous waste, other fuels, and industrial furnace feedstocks as per 266.102(e)(6)	85	266.102(e)(5)(i)(A)					
feed rate of total hazardous waste as per 266.102(e)(6)	85	266.102(e)(5)(i)(B)					
sampling and analysis program for total chloride and chlorine	85, 214	266.102(e)(5)(i)(C)					
operating requirements the permit will specify for 266.107(b)(2) Tier II and 266.107(c) Tier III HCl and Cl ₂ emission rate screening limits conformance:	85	266.102(e)(5)(ii)					
maximum emission rate for HCl and Cl ₂ based on average rate	85	266.102(e)(5)(ii)(A)					
feed rate of total hazardous waste as per 266.102(e)(6)	85	266.102(e)(5)(ii)(B)					
total feed rate of chlorine and chloride in total feedstreams as per 266.102(e)(6)	85	266.102(e)(5)(ii)(C)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(5)(ii)(D)					
operation and maintenance controls of hazardous waste firing system and any air pollution control system	85	266.102(e)(5)(ii)(E)					
allowable variation in system design including air pollution control system or operating procedures	85	266.102(e)(5)(ii)(F)					
other operating requirements to ensure 266.107(b)(2) or (c) HCl or Cl ₂ standards compliance	85	266.102(e)(5)(ii)(G)					
measuring parameters and establishing limits based on trial burn data	85, 94	266.102(e)(6)					
as specified in 266.102(e)(2)-(5), each operating parameter shall be measured and permit limits on the parameter established according to either of the following procedures:	85	266.102(e)(6)(i)					
measured and recorded on instantaneous basis and permit limit based on time-weighted average	85	266.102(e)(6)(i)(A)					
hourly rolling average basis as defined	85	266.102(e)(6)(i)(B)(I)					
		266.102(e)(6)(i)(B)(I)(i)					
	85, 94	266.102(e)(6)(i)(B)(I)(ii)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
permit limit based on average over all valid test runs of highest hourly rolling average value per run	85, 94	266.102(e)(6)(i)(B)(2)					
feed rate limits for carcinogenic metals and lead established on either an hourly rolling average basis or on (up to) to 24-hour rolling average basis; requirements for 2 to 24-hour average period:	85, 94	266.102(e)(6)(ii)					
feed rate of each metal limited to ten times the allowable hourly rolling average basis feed rate	85	266.102(e)(6)(ii)(A)					
specifications the continuous monitor shall meet	85	266.102(e)(6)(ii)(B)					
		266.102(e)(6)(ii)(B)(1)					
	85, 94, 214	266.102(e)(6)(ii)(B)(2)					
feed rate permit limit based on specified average	85	266.102(e)(6)(ii)(C)					
feed rate limits for metals, total chloride and chlorine, and ash established and monitored based on feedstream concentration and flow rate; flow rate continuously monitored as per 266.102(e)(6)(i) and (ii)	85	266.102(e)(6)(iii)					
if no simultaneous demonstration of 266.104-266.107 compliance during a set of test runs, operating conditions of additional test runs as close as possible to original operating conditions	85	266.102(e)(6)(iv)(A)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
facility to operate under trial burn conditions and reach steady-state operations before obtaining test data to demonstrate 266.104-266.107 emissions standards compliance or establishing operating parameter limits; specific industrial furnaces need not reach steady-state conditions for flow of metals prior to beginning metals emissions compliance testing	85, 94	266.102(e)(6)(iv)(B)					
trial burn data obtained during emissions sampling are used to establish operating parameter limits in the permit when parameter must be established as per 266.102(e)	85	266.102(e)(6)(iv)(C)					
requirements for controlling fugitive emissions	85	266.102(e)(7)(i)					
		266.102(e)(7)(i)(A)					
		266.102(e)(7)(i)(B)					
		266.102(e)(7)(i)(C)					
automatic waste feed cutoff required; Director may limit number of cutoffs per operating period; additional requirements include:	85	266.102(e)(7)(ii)					
maintenance of permit limit for minimum combustion chamber temperature while hazardous waste or residues remain in chamber	85	266.102(e)(7)(ii)(A)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
exhaust gases ducted to air pollution control system while hazardous waste or residues remain in chamber	85	266.102(e)(7)(ii)(B)					
continued monitoring of parameters with limits during cutoff and hazardous waste feed not restarted until parameters comply with limits; for parameters monitored on instantaneous basis, conditions for restarting hazardous waste feed	85	266.102(e)(7)(ii)(C)					
cease burning hazardous waste when changes in combustion properties, feed rates, or design or operating conditions deviate from permit limits	85	266.102(e)(7)(iii)					
owner or operator, while burning hazardous waste, must monitor and record:	85	266.102(e)(8)(i)					
specified feed rates and composition of specified materials	85	266.102(e)(8)(i)(A)					
CO, HC, and oxygen on a continuous basis as specified; monitors installed, operated and maintained as per 266, Appendix IX methods	85	266.102(e)(8)(i)(B)					
sampling and analysis as requested to verify that requirements established in permit achieve 266.104-266.107 standards	85	266.102(e)(8)(i)(C)					
monitors record data in permit limit units, unless permit allows otherwise	85	266.102(e)(8)(ii)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
daily visual inspection of boiler or industrial furnace and associated equipment when they contain hazardous waste	85, 214	266.102(e)(8)(iii)					
test automatic feed cutoff system and associated alarms at least once every 7 days when hazardous waste is burned unless specified conditions are demonstrated; operational testing at least once every 30 days	85	266.102(e)(8)(iv)					
monitoring and inspection data recorded and placed in 264.73 operating record	85	266.102(e)(8)(v)					
compliance with 266.111 if direct transfer of hazardous waste to boiler or industrial furnace without use of storage unit	85	266.102(e)(9)					
all 266.102-required information and data in facility operating record for five years	85, 96, †213	266.102(e)(10)					
remove all hazardous waste and hazardous waste residues at closure	85	266.102(e)(11)					
INTERIM STATUS STANDARDS FOR BURNERS							
establish minimum national standards for owners and operators of existing boilers and industrial furnaces until permitted under 266.102(d) or closed	85	266.103(a)(1)(i)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
definition of “existing or in existence”; facility has commenced construction if all permits necessary to begin physical construction are obtained and either:	85, 94	266.103(a)(1)(ii)					
continuous on-site, physical construction program has begun	85	266.103(a)(1)(ii)(A)					
contractual obligations cannot be canceled or modified without substantial loss and physical construction is to be completed within reasonable time	85	266.103(a)(1)(ii)(B)					
if boiler or industrial furnace at facility with permit or interim status, then compliance with 270.42 permit modification or 270.72 interim status changes	85	266.103(a)(1)(iii)					
266.103 requirements not applicable to hazardous waste and facilities exempt under 266.100(b) or 266.108	85	266.103(a)(2)					
F020-F023, F026 or F027 hazardous waste listed for dioxin and hazardous waste derived from these wastes may not be burned in interim status boiler or industrial furnace	85, 96	266.103(a)(3)					
interim status owners and operators subject to specified 265 provisions:	85	266.103(a)(4)					
		266.103(a)(4)(i)					
		266.103(a)(4)(ii)					
		266.103(a)(4)(iii)					
		266.103(a)(4)(iv)					
		266.103(a)(4)(v)					
		266.103(a)(4)(vi)					
	85, 214	266.103(a)(4)(vii)					
	85	266.103(a)(4)(viii)					

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controls that apply to interim status industrial furnaces that feed hazardous waste for a purpose other than solely as an ingredient at any location other than the hot end or where fuels are normally fired:	85, 96	266.103(a)(5)					
fed at location where temperatures are at least 1800° F	85	266.103(a)(5)(i)(A)					
determination and documentation in facility record of adequate oxygen	85	266.103(a)(5)(i)(B)					
for cement kiln systems, hazardous waste fed into kiln	85	266.103(a)(5)(i)(C)					
applicability of 266.104(c) or 266.103(c)(5) hydrocarbon controls	85, 96	266.103(a)(5)(i)(D)					
criteria for burning hazardous waste for a purpose other than solely as an ingredient:	85	266.103(a)(5)(ii)					
total concentration of 261, Appendix VIII nonmetal compounds exceed 500 ppm by weight as fired and considered burned for destruction; reduction of the concentration of nonmetal compounds to the 500 ppm limit by bona fide treatment; blending for dilution to meet the 500 ppm limit prohibited; retention of documentation in facility record	85, 96	266.103(a)(5)(ii)(A)					

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heating value of 5,000 Btu/lb or more, as fired, and considered burned as fuel; reduction of the heating value of a waste as-generated to below 5,000 Btu/lb limit by bona fide treatment; blending to augment heating value to meet the 5,000 Btu/lb limit prohibited; retention of documentation in facility record	85, 96	266.103(a)(5)(ii)(B)					
burning hazardous waste with heating value less than 5,000 Btu/lb prohibited; situation where 5,000 Btu/lb limit can be exceeded; exceptions:	85, 96	266.103(a)(6)					
hazardous waste burned solely as an ingredient	96	266.103(a)(6)(i)					
hazardous waste burned for purposes of compliance testing for a total period of time not to exceed 720 hours	96	266.103(a)(6)(ii)					
waste burned if Director has documentation to show that, prior to August 21, 1991:	96	266.103(a)(6)(iii)					
boiler or industrial furnace operating under Part 265, Subpart O or P requirements	96	266.103(a)(6)(iii)(A)					
boiler or industrial furnace met 270.70 interim status eligibility requirements for Part 265, Subpart O or Subpart P	96	266.103(a)(6)(iii)(B)					
hazardous waste with a heating value less than 5,000 Btu/lb burned prior to August 21, 1991	96	266.103(a)(6)(iii)(C)					

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such waste burned in halogen acid furnace if waste burned as an excluded ingredient under 261.2(e) prior to February 21, 1991 and documentation kept on file	96	266.103(a)(6)(iv)					
266.111 compliance if hazardous waste directly transferred from transport vehicle to boiler or industrial furnace without storage unit use	85	266.103(a)(7)					
August 21, 1991 submittal date for 266.103(b)(2) information; establish limits for 266.103(b)(3) parameters; certificate of precompliance; burning limited to 266.103(b)(3) conditions until 266.103(b)(8) revised certification of precompliance, or 266.103(c) certification of compliance, or permit is issued	85	266.103(b)(1)					
information to be submitted with certification of precompliance to support determination and compliance with operating parameter limits	85	266.103(b)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
general facility information	85	266.103(b)(2)(i)					
		266.103(b)(2)(i)(A)					
		266.103(b)(2)(i)(B)					
		266.103(b)(2)(i)(C)					
		266.103(b)(2)(i)(D)					
		266.103(b)(2)(i)(E)					
except for facilities complying with Tier I or Adjusted Tier I feed rate screening limits provided by 266.106(b) or (e) and 266.107(b)(1) or (e), estimated uncontrolled emissions of particulate matter, each 266.106 metal, hydrogen chloride and chlorine, and following information to support determinations:	85, 111	266.103(b)(2)(ii)					
feed rate of specified materials in each feedstream	85, 94	266.103(b)(2)(ii)(A)					
estimated partitioning factor to combustion gas for 266.103(b)(2)(ii)(A) materials, basis for estimate, and estimate of partitioning to HCl and Cl ₂ of total chloride and chlorine in feed materials; use best engineering judgment or 266, Appendix IX procedures	85, 94	266.103(b)(2)(ii)(B)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
for industrial furnaces that recycle collected particulate matter and certify compliance with 266.103(c)(3)(ii)(A) metals emissions standards, estimated enrichment factor for each metal, using best engineering judgment or specified Appendix IX procedures	85	266.103(b)(2)(ii)(C)					
basis for best engineering judgment; 270.11(d) certification of determinations included in certification of precompliance	85, 94	266.103(b)(2)(ii)(D)					
for facilities complying with Tier I or Adjusted Tier I feed rate screening limits, the feed rate of specified materials in each feed stream	85, 111	266.103(b)(2)(iii)					
for facilities complying with Tier II or III emission limits for metals or HCl or Cl ₂ , estimated controlled emissions rates of particulate matter, each 266.106 metal, HCl and Cl ₂ , and following information to support determinations:	85, 94	266.103(b)(2)(iv)					
estimated air pollution control system (APCS) removal efficiency for specified materials	85	266.103(b)(2)(iv)(A)					
use best engineering judgment or 266, Appendix IX procedures	85	266.103(b)(2)(iv)(B)					
basis for best engineering judgment in conformance with 266.103(b)(2)(ii)(D)	85	266.103(b)(2)(iv)(C)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
determination of allowable emissions rates for specified materials and information to support such determinations to include:	85	266.103(b)(2)(v)					
for all facilities:	85	266.103(b)(2)(v)(A)					
		266.103(b)(2)(v)(A)(1)					
		266.103(b)(2)(v)(A)(2)					
		266.103(b)(2)(v)(A)(3)					
		266.103(b)(2)(v)(A)(4)					
	85, 94	266.103(b)(2)(v)(A)(5)					
	85	266.103(b)(2)(v)(A)(6)					
		266.103(b)(2)(v)(A)(7)					
for owners or operators using Tier III site specific dispersion modeling to determine 266.106(d) or 266.107(c) allowable levels, or adjusted Tier I feed rate screening limits under 266.106(e) or 266.107(e):	85	266.103(b)(2)(v)(B)					
		266.103(b)(2)(v)(B)(1)					
	85, 214	266.103(b)(2)(v)(B)(2)					
	85	266.103(b)(2)(v)(B)(3)					
		266.103(b)(2)(v)(B)(4)					
for facilities complying with Tier II or III emissions rate controls for metals or HCl and Cl ₂ , comparison of 266.103(b)(2)(iv) estimated rates with 266.103(b)(2)(v) allowable rates	85, 94	266.103(b)(2)(vi)					

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for facilities complying with Tier I or adjusted Tier I feed rate screening limits for metals or total chloride and chlorine, comparison of actual feed rates determined under 266.103(b)(2)(iii) to Tier I allowable feed rates	85	266.103(b)(2)(vii)					
for industrial furnaces that feed hazardous waste for any purpose other than solely as an ingredient at any location other than product discharge end of device, documentation of 266.103(a)(5)(i)(A)-(C) compliance	85	266.103(b)(2)(viii)					
for industrial furnaces that recycle collected particulate matter back into the furnace and that will certify 266.103(c)(3)(ii)(A) metals emissions standards compliance, applicable particulate matter standard and precompliance limit on metal concentration	85	266.103(b)(2)(ix)					
		266.103(b)(2)(ix)(A)					
		266.103(b)(2)(ix)(B)					
establish limits on 266.103(b)(3)(i)-(v) parameters consistent with 266.103(b)(2) determinations and certify the facility will operate within the limits during interim status when there is hazardous waste in the unit until certain conditions are met	85	266.103(b)(3)					

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feed rate of total hazardous waste and pumpable hazardous waste	85	266.103(b)(3)(i)					
feed rate of each metal in specified feedstreams	85, 94	266.103(b)(3)(ii)					
	85	266.103(b)(3)(ii)(A)					
	85, 111	266.103(b)(3)(ii)(B)					
	85	266.103(b)(3)(ii)(C)					
total feed rate of chlorine and chloride in total feedstreams	85	266.103(b)(3)(iii)					
total feed rate of ash in total feedstreams, except ash feed rate for cement kilns and light-weight aggregate kilns is not limited	85	266.103(b)(3)(iv)					
maximum production rate when producing normal product, unless complying with the Tier I or Adjusted Tier I feed rate screening limits for chlorine under 266.107(b)(1) or (e) and for all metals under 266.106(b) or (e), and uncontrolled particulate emissions do not exceed 266.105 standard	85, 111	266.103(b)(3)(v)					
special operating requirements under 266, Appendix IX for furnaces that recycle collected particulate matter back into furnace and that certify compliance with metals emissions controls under 266.103(c)(3)(ii)(A)	85	266.103(b)(4)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
limits on 266.103(b)(3) parameters established and continuously monitoring under:	85	266.103(b)(5)(i)					
instantaneous limits	85, 96	266.103(b)(5)(i)(A)					
hourly rolling average basis as defined	85	266.103(b)(5)(i)(B)					
	85, 94	266.103(b)(5)(i)(B)(1)					
		266.103(b)(5)(i)(B)(2)					
feed rate limits for carcinogenic metals and lead established on either an hourly rolling average basis or on (up to) 24 hour rolling average basis; requirements for 2 to 24-hour average period:	85	266.103(b)(5)(ii)					
feed rate of each metal limited to ten times the allowable hourly rolling average basis feed rate	85, 214	266.103(b)(5)(ii)(A)					
specifications the continuous monitor shall meet:	85	266.103(b)(5)(ii)(B)					
	85, 94	266.103(b)(5)(ii)(B)(1)					
		266.103(b)(5)(ii)(B)(2)					
feed rate limits for metals, total chloride and chlorine, and ash established and monitored based on feedstream concentration and flow rate; flow rate continuously monitored as per 266.103(b)(5)(i) and (ii)	85	266.103(b)(5)(iii)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
on or before August 21, 1991, owner or operator submits notice to major local newspaper and sends copy of notice to State and local government units; provide evidence of notice submittal for publication with certification of pre-compliance to Director; notice must bear specified title and include:	85, 94	266.103(b)(6)					
information to include in public notice	85	266.103(b)(6)(i)					
		266.103(b)(6)(ii)					
		266.103(b)(6)(iii)					
		266.103(b)(6)(iv)					
		266.103(b)(6)(v)					
		266.103(b)(6)(vi)					
		266.103(b)(6)(vii)					
	85, 96	266.103(b)(6)(viii)					
	85, 96, 214	266.103(b)(6)(viii)(A)					
	85, 96	266.103(b)(6)(viii)(B)					
	85	266.103(b)(6)(ix)					
		266.103(b)(6)(x)					
when monitoring systems for 266.103(c)(1)(v)-(xiii) operating parameters are installed and operating in conformance with vendor or 266, Appendix IX specifications, continuous monitoring required and records maintained in operating record	85	266.103(b)(7)					
submittal of revised certification of pre-compliance under 266.103(b)(2)&(3) procedures	85	266.103(b)(8)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
266.103(b)(6) public notice requirements not applicable to recertifications	85	266.103(b)(8)(i)					
operation of facility within limits established for 266.103(b)(3) parameters until 266.103(b) revised certification or 266.103(c) certification of compliance is submitted	85	266.103(b)(8)(ii)					
language of signed statement that must be included with the certification of precompliance	85	266.103(b)(9)					
conduct emissions testing to document compliance with 266.104(b)-(e), 266.105-266.107 and 266.103(a)(5)(i)(D) emissions standards; submittal of certification of compliance on or before August 21, 1992	85, 94	266.103(c)					
establish limits and all applicable emission standards on 266.103(c)(1)(i)-(xiii) parameters based on operations during compliance test or as otherwise specified and include with certification of compliance; device will be operated within these limits and applicable emission standards of 266.104(b)-(e), 266.105, 266.106, 266.107 and 266.103(a)(5)(i)(D) when hazardous waste is in the unit	85, 94, 96, 111, 114	266.103(c)(1)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
feed rate of total hazardous waste and pumpable hazardous waste	85, 214	266.103(c)(1)(i)					
feed rate of each metal in specified feedstreams	85	266.103(c)(1)(ii)					
	85, 111	266.103(c)(1)(ii)(A)					
	111	266.103(c)(1)(ii)(A) (I)					
	111, 214	266.103(c)(1)(ii)(A) (2)					
	85	266.103(c)(1)(ii)(B)					
	85, 111, 114	266.103(c)(1)(ii)(C)					
total feed rate of chlorine and chloride in total feedstreams; the operating limits for facilities that comply with Tier I or Adjusted Tier I feed rate screening limits	85, 111, 114	266.103(c)(1)(iii)					
total feed rate of ash in total feedstreams, except ash feed rate for cement kilns and light-weight aggregate kilns is not limited	85, 94	266.103(c)(1)(iv)					
carbon monoxide concentration and, where required, hydrocarbon concentration in stack gas; CO and HC limits	85	266.103(c)(1)(v)					
maximum production rate when producing normal product, unless complying with Tier I or Adjusted Tier I feed rate screening limits for chlorine under 266.107(b)(1) or (e) and for all metals under 266.106(b) or (e), and uncontrolled particulate emissions do not exceed 266.105 standard	85, 111, 114	266.103(c)(1)(vi)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
maximum combustion chamber temperature with temperature measured where specified; exception	85, 114	266.103(c)(1)(vii)					
maximum flue gas temperature entering a particulate matter control device; exception	85, 114	266.103(c)(1)(viii)					
limits for systems using wet scrubbers, including wet ionizing scrubbers; exception:	85, 94, 214	266.103(c)(1)(ix)					
	85, 214	266.103(c)(1)(ix)(A)					
	85	266.103(c)(1)(ix)(B)					
		266.103(c)(1)(ix)(C)					
systems using venturi scrubbers, the minimum differential gas pressure across the venturi; exception	85	266.103(c)(1)(x)					
limits for systems using dry scrubbers; exception:	85, 94, 114	266.103(c)(1)(xi)					
	85	266.103(c)(1)(xi)(A)					
	85, 114	266.103(c)(1)(xi)(B)					
limits for systems using wet ionizing scrubbers or electrostatic precipitators; exception	85, 94	266.103(c)(1)(xii)					
	85	266.103(c)(1)(xii)(A)					
		266.103(c)(1)(xii)(B)					
systems using fabric filters, the minimum pressure drop; exception	85	266.103(c)(1)(xiii)					
at least 30 days prior to 266.103(c)(3) compliance testing, notify Director and submit required information:	85	266.103(c)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
general facility information	85	266.103(c)(2)(i)					
		266.103(c)(2)(i)(A)					
		266.103(c)(2)(i)(B)					
		266.103(c)(2)(i)(C)					
		266.103(c)(2)(i)(D)					
specific information on each device to be tested	85	266.103(c)(2)(ii)					
		266.103(c)(2)(ii)(A)					
		266.103(c)(2)(ii)(B)					
		266.103(c)(2)(ii)(C)					
		266.103(c)(2)(ii)(D)					
		266.103(c)(2)(ii)(D) (1)					
		266.103(c)(2)(ii)(D) (2)					
		266.103(c)(2)(ii)(D) (3)					
		266.103(c)(2)(ii)(E)					
		266.103(c)(2)(ii)(F)					
information on testing planned, including complete copy of test protocol and QA/QC plan, and summary description for each test that provides specified information	85	266.103(c)(2)(iii)					
		266.103(c)(2)(iii)(A)					
		266.103(c)(2)(iii)(B)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
compliance testing under 266.103(b) and 266.103(c)(2) conditions; case-by-case approval to use compliance test data from one unit in lieu of testing a similar on-site unit; information required to support owner or operator request; approval based on 266.103(c) requirements	85, 96	266.103(c)(3)(i)					
industrial furnaces that recycle collected particulate matter from air pollution control system must test to determine 266.106(c) or (d) metals standards compliance using one of the following procedures:	85	266.103(c)(3)(ii)					
266, Appendix IX testing requirements in "Alternative Method for Implementing Metals Controls"	85	266.103(c)(3)(ii)(A)					
stack emissions testing for 6 hrs/day while hazardous waste is burned during interim status; conditions for testing; analysis for metals content to assure 266.106(c) or (d) compliance; parameters for which operating limits must be established under 266.103(c)(3)	85	266.103(c)(3)(ii)(B)					
		266.103(c)(3)(ii)(B) (1)					
		266.103(c)(3)(ii)(B) (2)					
		266.103(c)(3)(ii)(B) (3)					
		266.103(c)(3)(ii)(B) (4)					
		266.103(c)(3)(ii)(B) (5)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
conduct compliance testing and establish limits on 266.103(c)(1) parameters after kiln system has been conditioned and has reached equilibrium with metals feed and metals emissions; conditions to be met during conditioning	85	266.103(c)(3)(ii)(C)					
if no simultaneous demonstration of 266.104-266.107 compliance during a set of test runs, operating conditions of additional test runs as close as possible to original operating conditions	85	266.103(c)(3)(iii)(A)					
facility to operate under compliance test conditions and reach steady-state operations before obtaining test data to demonstrate 266.104-266.107 emissions standards compliance or establishing operating parameter limits; specific industrial furnaces need not reach steady-state conditions prior to beginning metals compliance testing	85	266.103(c)(3)(iii)(B)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
compliance test data obtained during emissions sampling are used to establish operating parameter limits in the certification of compliance when parameter must be established as per 266.103(c)(1)	85	266.103(c)(3)(iii)(C)					
within 90 days of completing compliance testing, certification to Director of compliance with 266.104(b),(c)&(e), 266.105-266.107 and 266.103(a)(5)(i)(D) emissions standards; certification must include:	85	266.103(c)(4)					
general facility and testing information	85	266.103(c)(4)(i)					
		266.103(c)(4)(i)(A)					
		266.103(c)(4)(i)(B)					
	85, 94	266.103(c)(4)(i)(C)					
	85	266.103(c)(4)(i)(D)					
		266.103(c)(4)(i)(E)					
		266.103(c)(4)(i)(F)					
		266.103(c)(4)(i)(G)					
		266.103(c)(4)(i)(H)					
		266.103(c)(4)(i)(I)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
specific information on each test	85	266.103(c)(4)(ii)					
		266.103(c)(4)(ii)(A)					
		266.103(c)(4)(ii)(B)					
		266.103(c)(4)(ii)(B) (1)					
		266.103(c)(4)(ii)(B) (2)					
		266.103(c)(4)(ii)(B) (3)					
		266.103(c)(4)(ii)(B) (4)					
	85, 94	266.103(c)(4)(ii)(B) (5)					
	85	266.103(c)(4)(ii)(B) (6)					
		266.103(c)(4)(ii)(B) (7)					
		266.103(c)(4)(ii)(B) (8)					
		266.103(c)(4)(ii)(B) (9)					
comparison of actual emissions per test with emissions limits prescribed by 266.104(b),(c)&(e) and 266.105-266.107 and established in 266.103(b) certification of precompliance	85	266.103(c)(4)(iii)					
determination of operating limits based on all valid runs for 266.103(c)(1) parameters using one of two procedures:	85	266.103(c)(4)(iv)					
instantaneous limits	85	266.103(c)(4)(iv)(A)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
hourly rolling average basis as defined	85	266.103(c)(4)(iv)(B)(I)					
		266.103(c)(4)(iv)(B)(I)(i)					
		266.103(c)(4)(iv)(B)(I)(ii)					
parameter operating limit based on compliance test data and specific average	85	266.103(c)(4)(iv)(B)(2)					
feed rate limits for carcinogenic metals and lead established on either an hourly rolling average basis or on (up to) 24 hour rolling average basis; requirements for 2 to 24-hour average period:	85	266.103(c)(4)(iv)(C)					
feed rate of each metal limited to ten times the allowable hourly rolling average basis feed rate	85, 214	266.103(c)(4)(iv)(C)(I)					
specifications the continuous monitor shall meet	85	266.103(c)(4)(iv)(C)(2)					
		266.103(c)(4)(iv)(C)(2)(i)					
	85, 94	266.103(c)(4)(iv)(C)(2)(ii)					
operating limit for feed rate of each metal established based on compliance test data as the specified average	85	266.103(c)(4)(iv)(C)(3)					
feed rate limits for metals, total chloride and chlorine, and ash established and monitored based on feedstream concentration and flow rate; flow rate continuously monitored as per 266.103(c)(4)(iv)(A)-(C)	85	266.103(c)(4)(iv)(D)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
language of statement to accompany the certification of compliance	85	266.103(c)(4)(v)					
if required to comply with 266.104(c) or 266.103(a)(5)(i)(D) HC controls, conditioned gas monitoring system may be used in conformance with 266, Appendix IX specifications, provided certification of compliance is submitted without 266.103(c)(7) time extension	85, 111, 144	266.103(c)(5)					
special operating requirements for industrial furnaces that recycle collected particulate matter from air pollution control system:	85	266.103(c)(6)					
266, Appendix IX operating requirements in "Alternative Method to Implement the Metals Controls" if complying with 266.103(c)(3)(ii)(A)	85	266.103(c)(6)(i)					
operating requirements of 266.103(c)(3)(ii)(B) if complying with that paragraph	85	266.103(c)(6)(ii)					
requirements if fail to submit complete certification of compliance for 266.104-266.107 emissions standards by August 21, 1992:	85	266.103(c)(7)(i)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
stop burning hazardous waste and begin 266.103(l) closure	85, 94	266.103(c)(7)(i)(A)					
limit hazardous waste burning only for purposes of compliance testing (and pretesting to prepare for compliance testing) to a total period of 720 hours beginning August 21, 1992; submit notification to Director by August 21, 1992, stating operation under restricted interim status and intention to resume hazardous waste burning; submit complete certification of compliance by August 23, 1993	85, 94	266.103(c)(7)(i)(B)					
obtain case-by-case time extension under 266.103(c)(7)(ii)	85	266.103(c)(7)(i)(C)					
condition under which a case-by-case time extension may be requested for any 266.103(c) time limit	85	266.103(c)(7)(ii)					
in granting extension, Director may apply specified conditions	85	266.103(c)(7)(ii)(A)					
17 if time extension requested to enable facility to comply with alternative hydrocarbon provisions of 266.104(f) and to obtain RCRA permit because 266.104(c) HC limit cannot be met:	85, 111	266.103(c)(7)(ii)(B)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
what Director shall consider:	85	266.103(c)(7)(ii)(B)(I)					
determine whether complete Part B permit application that includes 270.22(b) information has been submitted	85	266.103(c)(7)(ii)(B)(I)(i)					
consider whether good faith effort to certify compliance with all other emission controls has been made	85, 94	266.103(c)(7)(ii)(B)(I)(ii)					
17 if extension granted, require facility to operate under 266.104(f)(1) baseline CO and HC flue gas concentration limits	85, 94	266.103(c)(7)(ii)(B)(2)					
submit at any time a revised certification of compliance under specific procedures:	85	266.103(c)(8)					
prior to submittal, may not burn hazardous waste for more than 720 hours under operating conditions that exceed those in current certification of compliance; such burning conducted only to determine if 266.104-266.107 emissions standards can be met under revised conditions	85	266.103(c)(8)(i)					
at least 30 days prior to first burning under revised conditions, notify Director and submit specific information:	85	266.103(c)(8)(ii)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
EPA facility ID number, facility name, contact person, telephone number and address	85	266.103(c)(8)(ii)(A)					
operating conditions owner/operator is seeking to revise and description of changes that prompted need to revise	85	266.103(c)(8)(ii)(B)					
determination that under revised operating conditions, 266.104-266.107 standards unlikely to be exceeded; 266.103(b)(2) information for documentation	85	266.103(c)(8)(ii)(C)					
complete emissions testing protocol for pretesting and new compliance test, including schedule for 266.104-266.107 emission standards compliance; 30-day prior written notice if revision in compliance test date	85	266.103(c)(8)(ii)(D)					
conduct compliance test under revised operating conditions and submitted protocol to determine 266.104-266.107 emissions standards compliance	85	266.103(c)(8)(iii)					
submit revised certification of compliance under 266.103(c)(4)	85	266.103(c)(8)(iv)					

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recertification of compliance within five years; if recertification under new operating conditions, 266.103(c)(8) compliance	85, †213	266.103(d)					
if noncompliance with interim status compliance schedule, burning is to terminate on date deadline is missed, closure to begin under 266.103(l), and no resumption of burning except under 270.66 operating permit; criteria for compliance with 266.103(l), 266.112(d)(2) and 266.113 provisions	85, 96	266.103(e)					
no hazardous waste as feed during start-up and shut-down unless device is operating within certification conditions	85	266.103(f)					
during 266.103(c)(3) compliance test and upon certification of compliance, automatic waste feed cutoff required; additional requirements include:	85	266.103(g)					
maintenance of minimum combustion chamber temperature while hazardous waste or residues remain in chamber to minimize emissions of organic compounds	85, 94	266.103(g)(1)					

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if compliance with combustion chamber temperature limit is based on hourly rolling average, minimum temperature during compliance test is averaged over all runs of the lowest hourly rolling average for each run	85, 214	266.103(g)(1)(i)					
if compliance with combustion chamber temperature limit is based on instantaneous temperature measurement, minimum temperature during compliance test is time-weighted average during all test runs	85	266.103(g)(1)(ii)					
continued monitoring of operating parameters with limits during cutoff; no restart of hazardous waste feed until parameters comply with limits established in compliance certification	85	266.103(g)(2)					
requirements for controlling fugitive emissions	85	266.103(h)					
		266.103(h)(1)					
		266.103(h)(2)					
		266.103(h)(3)					
cease burning hazardous waste when changes in combustion properties, feed rates, feed stocks/fuels or design or operating conditions deviate from limits specified in compliance certification	85	266.103(i)					
owner or operator, while burning hazardous waste, must monitor and record:	85	266.103(j)(1)					

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specified feed rates and composition of specified materials to ensure conformance with certification	85	266.103(j)(1)(i)					
CO, HC and oxygen on a continuous basis as specified; monitors installed, operated and maintained as per 266, Appendix IX methods	85	266.103(j)(1)(ii)					
sampling and analysis as requested by Director to verify compliance with 266.104-266.107 standards	85	266.103(j)(1)(iii)					
daily visual inspection of boiler or industrial furnace and associated equipment when they contain hazardous waste	85	266.103(j)(2)					
test automatic feed cutoff system and associated alarms at least once every 7 days when hazardous waste is burned unless specified conditions are demonstrated; operational testing at least once every 30 days	85	266.103(j)(3)					
monitoring and inspection data recorded and placed in operating log	85	266.103(j)(4)					
all 266.103-required information and data kept in facility operating record for five years	85, 96, 213	266.103(k)					
remove all hazardous waste and hazardous waste residues at closure and comply with 265.111-265.115	85	266.103(l)					

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STANDARDS TO CONTROL ORGANIC EMISSIONS							
except as 266.104(a)(3) provides, DRE of 99.99% required for all organic hazardous constituents; demonstration during trial burn for each POHC in permit for each waste feed; DRE equation	85, 94	266.104(a)(1)					
POHC compliance with DRE requirements to be demonstrated in trial burn in conformance with 270.66 procedures; designation of POHCs for each waste feed by Director based on degree of difficulty of destruction and on waste feed concentrations considering analyses submitted with Part B; 261, Appendix VIII compounds unless demonstration of other compound is suitable indicator of DRE requirements	85	266.104(a)(2)					
DRE of 99.9999% for F020-F023, F026 or F027 as determined from 266.104(a)(1) equation; notification of intent to burn such wastes	85, 94	266.104(a)(3)					
owners and operators of boilers operating under 266.110 requirements are exempt from DRE trial burn	85	266.104(a)(4)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
owners and operators of boilers or industrial furnaces in compliance with 266.109(a) are exempt from DRE trial burn	85	266.104(a)(5)					
except as 266.104(c) provides, CO stack gas concentration cannot exceed 100 ppmv on an hourly rolling average basis, continuously corrected to 7% oxygen, dry gas basis	85	266.104(b)(1)					
continuous monitoring of CO and oxygen in conformance with 266, Appendix IX specifications	85, 94	266.104(b)(2)					
demonstration of 100 ppmv CO compliance during trial burn or compliance test; highest hourly rolling average CO must not exceed 100 ppmv	85	266.104(b)(3)					
17 stack gas concentration of CO may exceed 100 ppmv if HC concentrations do not exceed 20 ppmv; exception under 266.104(f)	85	266.104(c)(1)					
HC limits established on hourly rolling average basis, reported as propane, continuously corrected to 7% oxygen, dry gas basis	85	266.104(c)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
HC continuously monitored under 266, Appendix IX specifications; CO and oxygen continuously monitored under 266.104(b)(2)	85, 94	266.104(c)(3)					
alternative CO standard based on trial burn data (new facility) and compliance test (interim status facility); definition and implementation	85	266.104(c)(4)					
industrial furnaces that feed hazardous waste for purpose other than solely as an ingredient at any location other than end where products are normally discharged and fuels are normally fired must comply with 266.104(c) or (f) hydrocarbon limits, irrespective of whether 266.104(b) standard is met	85	266.104(d)					
site-specific risk assessment for specific boilers and industrial furnaces to demonstrate that chlorinated dibenzo- <i>p</i> -dioxins and dibenzofurans emissions do not result in increased lifetime cancer risk exceeding 1 in 100,000 MEI; assessment requirements:	85	266.104(e)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
determine emission rates of certain tetraocta congeners during trial burn or compliance test using Method 0023A	85, 94, 158	266.104(e)(1)					
estimate 2,3,7,8-TCDD toxicity equivalence of specified congeners using 266, Appendix IX procedures; formula for estimation of equivalent emission rate	85, 94	266.104(e)(2)					
conduct dispersion modeling using recommended methods to predict maximum annual average off-site ground level concentrations of 2,3,7,8-TCDD equivalents; maximum annual average concentration used when a person resides on-site	85, 125	266.104(e)(3)					
specified 2,3,7,8-TCDD ratio shall not exceed 1.0	85, 94, 96	266.104(e)(4)					
19 cement kilns may comply with CO and HC limits under 266.104(b)-(d) by monitoring in the by-pass duct provided:	85, 144	266.104(f)					
19 fire hazardous waste only into the kiln	85, 111, 144	266.104(f)(1)					
19 by-pass duct diverts minimum of 10% of kiln off-gas into duct	85, 144	266.104(f)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
19 simultaneous demonstration of 266.104 compliance by emissions testing or during separate runs under identical operating conditions; data to demonstrate compliance with CO and HC limits or to establish alternative limits must be obtained during DRE testing, CDD/CDF testing and comprehensive organic emissions testing	85, 144	266.104(g)					
19 compliance with permit operating requirements regarded as compliance with 266.104; if such compliance is insufficient, modification or revocation and reissuance of permit under 270.41	85, 144	266.104(h)					
STANDARDS TO CONTROL PARTICULATE MATTER							
particulate matter emissions limited to 180 milligrams per dry standard cubic meter after specified correction using Part 60, Appendix A, Methods 1-5 and 266, Appendix IX procedures	85	266.105(a)					
owner or operator meeting 266.109(b) requirements for low risk waste exemption is exempt from particulate matter standard	85	266.105(b)					
20 oxygen correction	182	266.105(c) intro					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
measured pollutant levels must be corrected for oxygen in stack gas according to specified formula	182	266.105(c)(1)					
explanation of "E" in 266.105(c)(1) formula	182	266.105(c)(2)					
compliance with 266 subpart H emission standards must be based on correcting to 7 percent oxygen	182	266.105(c)(3)					
20 compliance with permit operating requirements regarded as compliance with 266.105; if such compliance is insufficient, modification or revocation and reissuance of permit under 270.41	85, 182	266.105(d)					
STANDARDS TO CONTROL METALS EMISSIONS							
Error! Bookm ark ark not define d. compliance with 266.106(b), (c), (d), (e), or (f) for each 266.106(b) metal that is detectable in waste using appropriate analytical procedures	85, 94, †208	266.106(a)					
Tier I feed rate screening limits for metals specified in 266, Appendix I as a function of terrain-adjusted effective stack height and terrain and land use in facility vicinity; criteria for ineligible facilities in 266.107(b)(7)	85	266.106(b)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
feed rates of antimony, barium, lead, mercury, thallium and silver in all feedstreams shall not exceed 266, Appendix I screening limits	85	266.106(b)(1)					
what feed rate screening limits for antimony, barium, mercury, thallium, and silver are based on	85	266.106(b)(1)(i)					
		266.106(b)(1)(i)(A)					
		266.106(b)(1)(i)(B)					
what feed rate screening limit for lead is based on	85	266.106(b)(1)(ii)					
		266.106(b)(1)(ii)(A)					
		266.106(b)(1)(ii)(B)					
		266.106(b)(1)(ii)(C)					
feed rates of arsenic, cadmium, beryllium and chromium in all feedstreams shall not exceed values derived from 266, Appendix I screening limits; feed rate limit equation	85, 94	266.106(b)(2)(i)					
what feed rate screening limits for carcinogenic metals are based on	85	266.106(b)(2)(ii)					
		266.106(b)(2)(ii)(A)					
	85, 94	266.106(b)(2)(ii)(B)					
equation for terrain-adjusted effective stack height (TESH)	85	266.106(b)(3)(i)					
stack height may not exceed 40 CFR 51.100(ii) good engineering practice	85	266.106(b)(3)(ii)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if TESH for a particular facility is not listed in table in appendices, nearest lower TESH to be used; if TESH \square 4 meters, a value of 4 meters shall be used	85	266.106(b)(3)(iii)					
screening limits function of noncomplex or complex terrain; criteria; use U.S. Geological Survey 7.5-minute topographic maps	85	266.106(b)(4)					
screening limits function of urban or rural land use; determination using 266, Appendices IX or X	85, 94	266.106(b)(5)					
facilities with multiple stacks must comply with screening limits for all units assuming all hazardous waste is fed into device with worst-case stack; worst-case stack equation, with lowest K value the worst-case stack	85, 94	266.106(b)(6)					
criteria under which Tier III standards or Adjusted Tier I feed rate screening limits apply instead of Tier I and Tier II screening limits	85, 111	266.106(b)(7)					
	85	266.106(b)(7)(i)					
		266.106(b)(7)(ii)					
		266.106(b)(7)(iii)					
		266.106(b)(7)(iv)					
		266.106(b)(7)(v)					
monitor feed rate of metals in each feedstream to ensure screening limits are not exceeded	85	266.106(b)(8)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Tier II emission rate screening limits function of stack height and terrain and land use in facility vicinity; ineligible facilities comply with 266.106(b)(7) criteria	85	266.106(c)					
emission rates of antimony, barium, lead, mercury, thallium and silver shall not exceed 266, Appendix I screening limits	85	266.106(c)(1)					
emission rates of arsenic, cadmium, beryllium and chromium shall not exceed values derived from 266, Appendix I screening limits; emission rate equation	85, 94	266.106(c)(2)					
emission rate limits implemented by limiting individual metal feed rates to trial burn or compliance test levels; averaging periods; monitoring of metals feed rate in each feedstream to ensure compliance with 266.102 or 266.103 limits	85	266.106(c)(3)					
266.106(b) definitions and limitations for specified terms also apply to 266.106(c) Tier II emission rate screening limits	85	266.106(c)(4)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
facilities with multiple stacks must comply with emissions screening limits for any such stacks assuming all hazardous waste is fed into device with worst-case stack	85	266.106(c)(5)(i)					
worst-case stack determined by 266.106(b)(6) procedures	85	266.106(c)(5)(ii)					
for each metal, total emissions from those stacks shall not exceed worst-case stack screening limit	85	266.106(c)(5)(iii)					
facilities complying with either Tier III or Adjusted Tier I controls	111	266.106(d)					
21 conformance with Tier III metals control demonstrated by emissions testing; conformance with either Tier III or Adjusted Tier I metals controls demonstrated by air dispersion modeling; demonstration that acceptable ambient levels are not exceeded	85, 111, 214	266.106(d)(1)					
266, Appendices IV and V list acceptable ambient levels; RACs listed for noncarcinogenic metals and 10 ⁻⁵ RSDs listed for carcinogenic metals; RSD defined	85	266.106(d)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
sum of the ratios of predicted ambient concentrations to risk-specific dose for all carcinogenic metals emitted shall not exceed 1.0; equation	85, 94, 111	266.106(d)(3)					
for noncarcinogenic metals, predicted maximum annual average off-site ground level concentration shall not exceed the RAC	85	266.106(d)(4)					
owners/operators with multiple stacks must conduct emissions testing and dispersion modeling to demonstrate that aggregate emissions do not exceed acceptable ambient levels; exception for facilities complying with Adjusted Tier I controls	85, 111	266.106(d)(5)					
under Tier III, feed rates limited to trial burn or compliance test levels; averaging periods same as under 266.106(b)(1)(i)-(ii) and (b)(2)(ii); monitor metals feed rate in each feedstream to ensure 266.102 or 266.103 compliance	85	266.106(d)(6)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Adjusted Tier I feed rate screening limits to account for site-specific dispersion modeling; how to estimate adjusted feed rate; feed rate screening limits for carcinogenic metals implemented under 266.106(b)(2)	85, 94	266.106(e)					
alternative implementation approaches approved by Director on a case-by-case basis for Tier II or III metals emission limits	85	266.106(f)(1)					
determination of 266.106(d) emissions limits for each noncarcinogenic and carcinogenic metal	85	266.106(f)(2)					
		266.106(f)(2)(i)					
	85, 94	266.106(f)(2)(ii)					
	85	266.106(f)(2)(ii)(A)					
	85, 94	266.106(f)(2)(ii)(B)					
use Method 0060, Determinations of Metals in Stack Emissions, EPA Publication SW-846 to conduct emissions testing	85, 158	266.106(g)(1)					
chromium emissions assumed to be hexavalent chromium unless owner/operator determines otherwise	85, 158	266.106(g)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
dispersion modeling conducted according to specified methods to predict maximum annual average off-site ground level concentration; on-site concentrations when person resides on-site	85, 125	266.106(h)					
compliance with 266.102 permit operating requirements regarded as 266.106 compliance unless evidence indicates otherwise; modification or revocation and re-issuance of permit under 270.41	85	266.106(i)					
STANDARDS TO CONTROL HYDROGEN CHLORIDE (HCl) AND CHLORINE GAS (Cl₂) EMISSIONS							
compliance with HCl and Cl ₂ controls under 266.107(b), (c) or (e)	85, 94, 111	266.107(a)					
Tier I feed rate screening limits for total chlorine specified in 266, Appendix II as a function of stack height and terrain and land use in facility vicinity; feed rate of total chlorine and chloride in all feedstreams not to exceed specified levels	85	266.107(b)(1)					
Tier II emission rate screening limits for HCl and Cl ₂ specified in 266, Appendix III as a function of terrain-adjusted effective stack height and terrain and land use in facility vicinity; stack emission rates not to exceed specified levels	85, 94	266.107(b)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
266.106(b) definitions and limitations for specified terms also apply to 266.107(b) screening limits	85,94	266.107(b)(3)					
facilities with multiple stacks subject to HCl or Cl ₂ emissions controls must comply with Tier I and II screening limits assuming all hazardous waste is fed into device with worst-case stack	85	266.107(b)(4)					
worst-case stack determined by 266.106(b)(6) procedures	85	266.107(b)(4)(i)					
under Tier I, total feed rate of chlorine and chloride to all subject devices not to exceed worst-case stack screening limit	85	266.107(b)(4)(ii)					
under Tier II, total HCl and Cl ₂ emissions from all subject stacks not to exceed worst-case stack screening limit	85	266.107(b)(4)(iii)					
conformance with Tier III controls demonstrated by HCl and Cl ₂ emissions testing, air dispersion modeling, and demonstration that acceptable ambient levels are not exceeded	85	266.107(c)(1)					
266, Appendix IV lists RACs for HCl and Cl ₂	85	266.107(c)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
facilities with multiple stacks subject to HCl or Cl ₂ emissions controls must conduct emissions testing and dispersion modeling to demonstrate that aggregate emissions do not exceed acceptable ambient levels for HCl and Cl ₂	85	266.107(c)(3)					
HCl and Cl ₂ controls implemented by limiting feed rate of total chlorine and chloride in all feedstreams; feed rate under Tier I limited to Tier I screening limits; feed rate under Tiers II and III limited to trial burn or compliance test feed rates; feed rate limits based on:	85	266.107(d)					
	85, 94	266.107(d)(1)					
		266.107(d)(2)					
adjusted Tier I feed rate screening limits to account for site-specific dispersion modeling; how to determine these adjusted rates	85	266.107(e)					
emissions testing for HCl and Cl ₂ conducted using Methods 0050 or 0051, EPA Publication SW-846	85, 158	266.107(f)					
dispersion modeling conducted according to 266.106(h) provisions	85	266.107(g)					

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compliance with 266.102 permit operating requirements regarded as 266.107 compliance unless evidence indicates otherwise; modification or revocation and re-issuance of permit under 270.41	85	266.107(h)					

SMALL QUANTITY ON-SITE BURNER EXEMPTION

owners and operators that burn hazardous waste in on-site boiler or industrial furnace exempt from 266 subpart H requirements provided:	85, 94	266.108(a)					
quantity of hazardous waste burned for a calendar month does not exceed limits shown in table titled "Exempt Quantities for Small Quantity Burner Exemption" based on 266.106(b)(3) terrain-adjusted effective stack height; table	85, 94	266.108(a)(1)					
maximum hazardous waste firing rate does not exceed 1% of total fuel requirements on a total heat input or mass input basis, whichever results in the lower mass feed rate of hazardous waste	85, 96	266.108(a)(2)					
minimum heating value of 5,000 Btu/lb	85	266.108(a)(3)					
does not contain F020-F023, F026 or F027	85	266.108(a)(4)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if mixed with non-hazardous waste, compliance with 266.108(a) quantity before mixing	85	266.108(b)					
22 equation for implementing 266.108(a)(1) quantity limits if burning in more than one exempt on-site boiler or industrial furnace	85, 94, 111	266.108(c)					
one-time signed, written notification requirements for small quantity burner exemption	85	266.108(d)					
		266.108(d)(1)					
		266.108(d)(2)					
		266.108(d)(3)					
maintain for at least 3 years sufficient records documenting quantity firing rate and heating value limits compliance, including quantity burned per calendar month and heating value	85	266.108(e)					

LOW RISK WASTE EXEMPTION

waiver of 266.104(a) DRE standard if device is operated in conformance with 266.109(a)(1) and burning will not result in unacceptable adverse health effects as per 266.109(a)(2) procedures	85	266.109(a)					
operating requirements for device	85	266.109(a)(1)					
	85, 94, 96	266.109(a)(1)(i)					
	85	266.109(a)(1)(ii)					
		266.109(a)(1)(iii)					
		266.109(a)(1)(iv)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
procedures to demonstrate that hazardous waste burning will not pose unacceptable adverse public health effects	85	266.109(a)(2)					
		266.109(a)(2)(i)					
	85, 214	266.109(a)(2)(ii)					
	85	266.109(a)(2)(iii)					
		266.109(a)(2)(iii)(A)					
		266.109(a)(2)(iii)(B)					
	85, 94	266.109(a)(2)(iv)					
		266.109(a)(2)(iv)(A)					
	85	266.109(a)(2)(iv)(B)					
		266.109(a)(2)(iv)(C)					
conditions under which the 266.105 particulate matter standard is waived	85, 214	266.109(b) intro.					
	85	266.109(b)(1)					
	85, 94	266.109(b)(2)					
WAIVER OF DRE TRIAL BURN FOR BOILERS							
boilers operating under 266.110 requirements and that do not burn F020-F023, F026 or F027 considered in compliance with 266.104(a) DRE standard, and trial burn to demonstrate DRE is waived; when burning hazardous waste:	85	266.110					
“primary fuel” defined; minimum of 50% primary fuel firing rate, determined on total heat or mass input basis, whichever results in the greater mass feed rate	85, 96	266.110(a)					
boiler load defined and not less than 40%	85	266.110(b)					
minimum as-fired heating value of 8,000 Btu/lb	85	266.110(c)					

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conformance with 266.104(b)(1) carbon monoxide standard; boilers subject to 266.110 DRE waiver not eligible for 266.104(c) alternative carbon monoxide standard	85	266.110(d)					
boiler must be water-tube type that does not feed fuel using a stoker or stoker type mechanism	85	266.110(e)					
conditions under which hazardous waste shall be fired directly into primary fuel flame zone of combustion chamber with an air or steam, mechanical or rotary cup atomization system	85	266.110(f)					
		266.110(f)(1)					
		266.110(f)(2)					
	85, 94	266.110(f)(3)					
	85	266.110(f)(4)					

STANDARDS FOR DIRECT TRANSFER

266.111 regulations apply to boilers and industrial furnaces subject to 266.102 or 266.103 if direct transfer of hazardous waste from transport vehicle to boiler or industrial furnace without use of storage unit	85	266.111(a)					
for 266.111, terms have meanings given in 266.111(b)(1)	85	266.111(b)(1)intro					
“direct transfer equipment”	85	266.111(b)(1)					
“container”	85	266.111(b)(1)					

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“tank systems” means direct transfer equipment when Subparts I and J of Parts 264 and 265 are referenced	85	266.111(b)(2)					
no direct transfer of pumpable hazardous waste from open-top container to boiler or industrial furnace	85	266.111(c)(1)					
direct transfer equipment requirements	85	266.111(c)(2)					
direct transfer of hazardous waste to boiler or industrial furnace conducted so that it does not result in any 266.111(c)(3)(i)-(vi) situation	85	266.111(c)(3)					
		266.111(c)(3)(i)					
		266.111(c)(3)(ii)					
		266.111(c)(3)(iii)					
		266.111(c)(3)(iv)					
		266.111(c)(3)(v)					
		266.111(c)(3)(vi)					
conditions under which hazardous waste shall not be placed in direct transfer equipment	85	266.111(c)(4)					
appropriate controls and practices to prevent spills and overflows from direct transfer equipment or its secondary containment system	85	266.111(c)(5)					
		266.111(c)(5)(i)					
		266.111(c)(5)(ii)					
applying 266.111(b)(1) definition of container, owners and operators must comply with:	85	266.111(d)					
264.175 containment requirements	85	266.111(d)(1)					

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use and management requirements of Subpart I, Part 265 requirements, except 265.170 and 265.174; compliance with specified maintenance and protective distances in lieu of 265.176 requirements; written certification by local fire marshall to be kept on file	85, 96	266.111(d)(2)					
264.178 closure requirements	85	266.111(d)(3)					
direct transfer equipment must meet following requirements:	85	266.111(e)					
secondary containment requirements for new and existing equipment	85	266.111(e)(1)					
		266.111(e)(1)(i)					
		266.111(e)(1)(ii)					
for existing direct transfer equipment without secondary containment, determination whether leaking or unfit for use; written assessment reviewed and certified by qualified, registered professional engineer in accordance with 270.11(d) by August 21, 1992	85	266.111(e)(2)(i)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
minimum considerations for assessment	85	266.111(e)(2)(ii)					
		266.111(e)(2)(ii)(A)					
		266.111(e)(2)(ii)(B)					
		266.111(e)(2)(ii)(C)					
		266.111(e)(2)(ii)(D)					
		266.111(e)(2)(ii)(E)					
if, due to 266.111(e)(2)(i)&(ii) assessment, direct transfer equipment found to be leaking or unfit for use, compliance with 265.196(a) and (b)	85	266.111(e)(2)(iii)					
inspection requirements at least once each operating hour when transferring hazardous waste from container to boiler or industrial furnace	85	266.111(e)(3)(i)					
		266.111(e)(3)(i)(A)					
		266.111(e)(3)(i)(B)					
		266.111(e)(3)(i)(C)					
inspect cathodic protection systems to ensure 265.195(b) compliance	85	266.111(e)(3)(ii)					
records of inspections maintained in operating record for at least 3 years	85	266.111(e)(3)(iii)					
265.192 compliance for design and installation of new ancillary equipment	85	266.111(e)(4)					
265.196 compliance for response to leaks or spills	85	266.111(e)(5)					
265.197 closure compliance, except 265.197(c)(2)-(4)	85	266.111(e)(6)					

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REGULATION OF RESIDUES							
residue derived from burning or processing of hazardous waste is not excluded under 261.4(b)(4), (7) or (8) unless device and owner or operator meet the following requirements:	85, 94	266.112					
criteria the device must meet:	85	266.112(a)					
	85, 96	266.112(a)(1)					
	85	266.112(a)(2)					
		266.112(a)(3)					
demonstration by owner or operator that hazardous waste does not significantly affect residue by demonstrating conformance with either of two criteria:	85	266.112(b)					
comparison of waste-derived residue with normal residue for 261, Appendix VIII constituents; procedures to be used; what analyses must determine for polychlorinated dibenzo-p-dioxins & polychlorinated dibenzofurans	85, 182, †208	266.112(b)(1) intro.					

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determination of concentrations of toxic constituents of concern in normal residue based on analyses of a minimum of 10 samples representing a minimum of 10 days of operation; sampling period for composite analysis not to exceed 24 hours; upper tolerance limit (at 95% confidence with a 95% proportion of the sample distribution) for the statistically-derived concentration; when to revise; how to determine the upper tolerance limit	85, 96	266.112(b)(1)(i)					
23 sampling and analysis of waste-derived residue to determine whether residue generated during each 24-hour period has concentrations of toxic constituents higher than 266.112(b)(1)(i) normal residue concentrations; if so, residue not excluded from definition of hazardous waste; toxic constituent concentrations based on analysis of samples obtained over 24-hour period; for multiple samples, concentration of toxic constituent is arithmetic mean; no results may be disregarded	85, 96	266.112(b)(1)(ii)					

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24 Non metal constituents: concentration must not exceed health-based level ; limit is 0.002 mg/kg or level of detection, whichever is higher; administrative stay and default level; compliance with alternative levels specified in §268.43 for F039 nonwastewaters; compliance based on good-faith effort; demonstration of good-faith efforts; analyses for F039	85, 111, † 127, 182, †208	266.112(b)(2)(i)					
administrative stay effective until further administrative action taken and notice published in <u>FR</u> and <u>CFR</u>	182, †208	266.112(b)(2)(i)/ Note					
for metal constituents, in extract concentration obtained using 261.24 TCLP not to exceed 266, Appendix VII limits	85	266.112(b)(2)(ii)					
sampling and analysis of waste-derived residue to determine whether residue generated during each 24-hour period has concentrations of toxic constituents higher than health-based levels; determination of toxic concentrations based on analysis of one or more samples obtained over 24-hour period; for multiple samples, concentration of toxic constituent is arithmetic mean of concentrations in samples; no results may be disregarded	96	266.112(b)(2)(iii)					

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records to document 266.112 compliance to be retained until closure of boiler or industrial furnace unit; information to be recorded	85, 96	266.112(c)					
	85	266.112(c)(1)					
		266.112(c)(2)					
		266.112(c)(2)(i)					
		266.112(c)(2)(ii)					
SUBPARTS I - L (Reserved)							
SUBPART M - MILITARY MUNITIONS							
APPLICABILITY							
subpart identifies when military munitions become a solid waste, and if they are hazardous	156	266.200(a)					
all requirements of 40 CFR 260 through 270 apply unless otherwise specified	156	266.200(b)					
DEFINITIONS							
definitions are in addition to 260.10 definitions	156	266.201 intro					
“active range”	156	266.201					
“chemical agents and munitions”	156	266.201					
“director”	156	266.201					
“explosives or munitions emergency response specialist”	156	266.201					
“explosives or munitions emergency”	156	266.201					
“explosives or munitions emergency response”	156	266.201					
“inactive range”	156	266.201					
“military”	156	266.201					
“military munitions”	156	266.201					
“military range”	156	266.201					
“unexploded ordnance (UXO)”	156	266.201					

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DEFINITION OF SOLID WASTE							
military munition is not a solid waste under listed circumstances	156	266.202(a)					
	156	266.202(a)(1)					
	156	266.202(a)(1)(i)					
	156	266.202(a)(1)(ii)					
	156	266.202(a)(1)(iii)					
	156	266.202(a)(2)					
unused military munition is a solid waste under listed circumstances	156	266.202(b)					
	156	266.202(b)(1)					
	156	266.202(b)(2)					
	156	266.202(b)(3)					
	156	266.202(b)(4)					
used or fired military munition is solid waste under listed circumstances	156	266.202(c)					
	156	266.202(c)(1)					
	156	266.202(c)(2)					
military munition is solid waste when it lands off- range and is not promptly taken care of; imminent and substantial threats must be addressed; action if remedial action is infeasible	156	266.202(d)					
STANDARDS APPLICABLE TO THE TRANSPORTATION OF SOLID WASTE MILITARY MUNITIONS							
criteria for regulation of waste non-chemical military munitions in transportation	156	266.203(a)					
military munitions that are being transported and exhibit hazardous waste characteristic or are listed in Part 261 are hazardous unless all listed conditions are met	156	266.203(a)(1)					
	156	266.203(a)(1)(i)					
	156	266.203(a)(1)(ii)					
	156	266.203(a)(1)(iii)					
	156	266.203(a)(1)(iv)					
receiving facility has 5 days to report to Director shipments not received within 45 days of shipment	156	266.203(a)(2)					

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266.203(a)(1) exemption only applies to transportation; does not affect storage, treatment or disposal	156	266.203(a)(3)					
266.203(a)(1) exemption applies so long as all listed 266.203(a)(1) conditions are met	156	266.203(a)(4)					
if 266.203(a)(1) exemption lost, can apply to Director for reinstatement as soon as munitions returned to 266.203(a)(1) compliance; if Director finds appropriate, may reinstate; if no action in 60 days, reinstatement deemed granted; termination of conditional exemption; Director may specify additional conditions	156	266.203(b)					
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in <u>FR</u>	156	266.203(c)					
STANDARDS APPLICABLE TO EMERGENCY RESPONSES							
explosives and military munitions emergencies are subject to listed citations	156	266.204					
† STANDARDS APPLICABLE TO THE STORAGE OF SOLID WASTE MILITARY MUNITIONS							
criteria for regulation of storage	156	266.205(a)					
waste military munitions in storage that exhibit hazardous waste characteristic or listed in Part 261 are hazardous waste unless listed conditions met	156	266.205(a)(1)					
	156	266.205(a)(1)(i)					
	156	266.205(a)(1)(ii)					
	156	266.205(a)(1)(iii)					
	156	266.205(a)(1)(iv)					
	156	266.205(a)(1)(v)					
	156	266.205(a)(1)(vi)					
	156	266.205(a)(1)(vii)					

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266.205(a)(1) exemption only applies to storage; does not affect transportation, treatment or disposal	156	266.205(a)(2)					
266.205(a)(1) exemption applies so long as all listed 266.205(a)(1) conditions met	156	266.205(a)(3)					
owner/operator must notify Director when 266.205(a)(1)(iv) storage is no longer used	156	266.205(b)					
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in <u>FR</u>	156	266.205(c)					
waste chemical munitions	156	266.205(d)					
chemical agents or chemical military munitions that exhibit hazardous characteristic or listed in Part 261 are hazardous and subject to RCRA Subtitle C	156	266.205(d)(1)					
hazardous waste chemical agents or chemical munitions not subject to 268.50	156	266.205(d)(2)					
DDESB storage standards which are applicable; any amendments are effective on date published in <u>FR</u>	156	266.205(e)					
STANDARDS APPLICABLE TO THE TREATMENT AND DISPOSAL OF WASTE MILITARY MUNITIONS							
treatment and disposal of hazardous waste military munitions subject to Parts 260 through 270	156	266.206					

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SUBPART N B CONDITIONAL EXEMPTION FOR LOW-LEVEL MIXED WASTE STORAGE, TREATMENT, TRANSPORTATION AND DISPOSAL							
WHAT DEFINITIONS APPLY TO THIS SUBPART?							
definitions:	191	266.210 intro					
“Agreement State”	191	266.210					
“Certified delivery”	191	266.210					
“Director”	191	266.210					
“Eligible Naturally Occurring and/or Accelerator-produced Radioactive Material (NARM)”	191	266.210					
“Exempted waste”	191	266.210					
“Hazardous waste”	191	266.210					
“Land Disposal Restriction (LDR) Treatment Standard”	191	266.210					
“License”	191	266.210					
“Low-Level Mixed Waste (LLMW)”	191	266.210					
“Low-Level Radioactive Waste (LLW)”	191	266.210					
“Mixed Waste”	191	266.210					
“Naturally Occurring and/or Accelerator- produced Radioactive Material (NARM)”	191	266.210					
“NRC”	191	266.210					
“We or us”	191	266.210					
“You”	191	266.210					
WHAT DOES A STORAGE AND TREATMENT CONDITIONAL EXEMPTION DO?							
LLMW exempt from 261.3 if certain criteria or conditions met	191	266.220					
WHAT WASTES ARE ELIGIBLE FOR THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION?							
eligible if generated and managed under license	191	266.225					
WHAT CONDITIONS MUST YOU MEET FOR YOUR LLMW TO QUALIFY FOR AND MAINTAIN A STORAGE AND TREATMENT EXEMPTION?							
notification in writing by certified delivery; notification information; signature requirements; timeliness	191	266.230(a)					

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to qualify for and maintain LLMW exemption:	191	266.230(b) intro					
storage, training, inventory, inspection and emergency plan requirements	191	266.230(b)(1)-(5)					
WHAT WASTE TREATMENT DOES THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION ALLOW?							
treatment in licensed tanks or containers; treatment requiring RCRA permit is not allowed	191	266.235					
HOW COULD YOU LOSE THE CONDITIONAL EXEMPTION FOR YOUR LLMW AND WHAT ACTION MUST YOU TAKE?							
failing to meet 266.230 conditions; non-exempt waste and storage unit immediately subject to RCRA requirements	191	266.240(a) intro					
failure to meet 266.230 conditions requires written report within 30 days; certification; report must include:	191	266.240(a)(1) intro					
specific conditions failed; storage location; dates failed	191	266.240(a)(1)(i)-(iii)					
failure endangering human health or environment requires oral notification and written follow up; qualifying failures; emergency plan must be followed	191	266.240(a)(2)					
termination of exemption for serious or repeated noncompliance	191	266.240(b)					
IF YOU LOSE THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION FOR YOUR LLMW, CAN THE EXEMPTION BE RECLAIMED?							
exemption may be reclaimed if:	191	266.245(a) intro					

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266.230 conditions are again met; and	191	266.245(a)(1)					
notification that exemption is being reclaimed; signature requirements; notice must:	191	266.245(a)(2) intro					
explain each failure; certification; action taken; other information	191	266.245(a)(2)(i)-(iv)					
factors which can terminate a reclaimed exemption; additional conditions may be added	191	266.245(b)					
WHAT RECORDS MUST YOU KEEP AT YOUR FACILITY AND FOR HOW LONG?							
records must be kept as follows:	191	266.250(a) intro					
initial notification, return receipts, failure reports and exemption reclaim records; inventories, inspections, training, emergency plan	191	266.250(a)(1)-(4)					
retention periods for notification, training, emergency plan, inventory and inspection records	191	266.250(b)					
WHEN IS YOUR LLMW NO LONGER ELIGIBLE FOR THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION?							
when waste meets decay-in-storage requirements and can be disposed; waste becomes subject to RCRA and accumulation period begins	191, 237	266.255(a)					
once removed from storage, no longer eligible for exemption; 266.305 exemption may apply	191	266.255(b)					

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DO CLOSURE REQUIREMENTS APPLY TO UNITS THAT STORED LLMW PRIOR TO THE EFFECTIVE DATE OF SUBPART N?							
units not subject to closure requirements; units subject to closure requirements	191	266.260					
WHAT DOES THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION DO?							
waste exempted from 261.3 if conditions are met	191	266.305					
WHAT WASTES ARE ELIGIBLE FOR THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION?							
eligible waste must be:	191	266.310 intro					
a LLMW as defined in 266.210 that meets LLRWDF criteria; and/or	191	266.310(a)					
an eligible NARM waste, defined in 266.210	191	266.310(b)					
WHAT ARE THE CONDITIONS YOU MUST MEET FOR YOUR WASTE TO QUALIFY FOR AND MAINTAIN THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION?							
following conditions must be met for exemption:	191	266.315 intro					
eligible waste meets LDR treatment standards	191	266.315(a)					
manifested and transported according to NRC regulations	191	266.315(b)					
waste meets container storage requirements	191	266.315(c)					
waste disposed of at designated LLRWDF	191	266.315(d)					
WHAT TREATMENT STANDARDS MUST YOUR ELIGIBLE WASTE MEET?							
LLMW or eligible NARM must meet 268 subpart D LDR treatment standards	191	266.320					
ARE YOU SUBJECT TO THE MANIFEST AND TRANSPORTATION CONDITION IN 266.315(b)?							
must meet manifest and transportation requirements	191	266.325					

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WHEN DOES THE TRANSPORTATION AND DISPOSAL EXEMPTION TAKE EFFECT?							
exemption is effective when:	191	266.330 intro					
waste meets applicable LDR treatment standards	191	266.330(a)					
return receipts for notification are received	191	266.330(b)					
packaging and preparation requirements are completed and manifest is prepared, and	191	266.330(c)					
waste placed on vehicle destined for licensed LLRWDF	191	266.330(d)					
WHERE MUST YOUR EXEMPTED WASTE BE DISPOSED OF?							
waste must be disposed of in regulated and licensed LLRWDF	191	266.335					
WHAT TYPE OF CONTAINER MUST BE USED FOR DISPOSAL OF EXEMPTED WASTE?							
waste must be placed in containers before disposal that are:	191	266.340 intro					
carbon steel drum; or	191	266.340(a)					
equivalent performance of a carbon steel drum; or	191	266.340(b)					
high integrity container	191	266.340(c)					
WHOM MUST YOU NOTIFY?							
notification of exemption prior to initial shipment of waste; contents of dated written notice	191	266.345(a)					
notification before shipment of each exempted waste; return receipt required; notification to include:	191	266.345(b) intro					
notification requirements	191	266.345(b)(1)-(7)					

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WHAT RECORDS MUST YOU KEEP AT YOUR FACILITY AND FOR HOW LONG?							
in addition to records required by license,							
records must:	191	266.350 intro					
follow applicable recordkeeping requirements	191	266.350(a)					
keep copy of all notifications for three years after last disposal	191	266.350(b)					
keep copy of all notifications and return receipts for three years after last waste disposed	191	266.350(c)					
keep copy of 266.345(b) notifications and return receipts for three years after disposal	191	266.350(d)					
keep all required documents related to waste tracking and 266.350(a)-(d) records	191	266.350(e)					
HOW COULD YOU LOSE THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION FOR YOUR WASTE AND WHAT ACTIONS MUST YOU TAKE?							
waste loses exemption if not managed in accordance with 266.315	191	266.355(a) intro					
failure to meet 266.315 conditions requires notification; must be certified; notification must include:	191	266.355(a)(1) intro					
notification requirements	191	266.355(a)(1)(i)-(iii)					
if failure endangers human health or environment, provide oral notification and written follow up	191	266.355(a)(2)					
termination of exemption or additional conditions required for noncompliance	191	266.355(b)					

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IF YOU LOSE THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION FOR A WASTE, CAN THE EXEMPTION BE RECLAIMED?							
exemption reclaimed after notification of exemption loss, and if:	191	266.360(a) intro					
266.315 conditions are again met; and	191	266.360(a)(1)					
notification of reclaimed exemption; signature requirements; notice must:	191	266.360(a)(2) intro					
notification requirements	191	266.360(a)(2)(i)-(iv)					
reclaimed exemption may be terminated based on listed factors; conditions may be added	191	266.360(b)					

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TIER I AND TIER II FEED RATE AND EMISSIONS SCREENING LIMITS FOR METALS							
Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic Metals for Facilities in Noncomplex Terrain	85, 94	Appendix I/Table I-A					
Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic Metals for Facilities in Noncomplex Terrain	85	Appendix I/Table I-B					
Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic Metals for Facilities in Complex Terrain	85	Appendix I/Table I-C					
Tier I and Tier II Feed Rate and Emissions Screening Limits for Carcinogenic Metals for Facilities in Noncomplex Terrain	85, 94	Appendix I/Table I-D					

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Tier I Feed Rate Screening Limits for Chlorine for Facilities in Noncomplex and Complex Terrain	85, 94	Appendix II					
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Tier II Emissions Screening Limits for Cl ₂ and HCl in Noncomplex and Complex Terrain	85, 94, 214	Appendix III					
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Constituents, CAS Nos. and RAC	85, 94, 214	Appendix IV					
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RISK SPECIFIC DOSES							
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HEALTH-BASED LIMITS FOR EXCLUSION OF WASTE-DERIVED RESIDUES							
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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
APPENDIX IX TO PART 266							
METHODS MANUAL FOR COMPLIANCE WITH BIF REGULATIONS							
Burning Hazardous Waste in Boilers and Industrial Furnaces	85, 94, 96, 111, 114, 158, 208, 214	Appendix IX					
Statistics	85, 94	Appendix A to Appendix IX					
APPENDIX X TO PART 266							
GUIDELINE ON AIR QUALITY MODELS (REVISED)							
removed	85, 94, 125	Appendix X					
removed	85, 94, 125	Appendix A to Appendix X					
removed	85, 94, 125	Appendix B to Appendix X					
removed	85, 94, 125	Appendix C to Appendix X					
APPENDIX XI TO PART 266							
LEAD-BEARING MATERIALS THAT MAY BE PROCESSED IN EXEMPT LEAD SMELTERS							
lead-bearing materials that may be processed in exempt lead smelters	96	Appendix XI					
APPENDIX XII TO PART 266							
NICKEL- OR CHROMIUM-BEARING MATERIALS THAT MAY BE PROCESSED IN EXEMPT NICKEL- CHROMIUM RECOVERY FURNACES							
nickel or chromium- bearing materials that may be processed in exempt nickel-chromium recovery furnaces	96	Appendix XII					
APPENDIX XIII TO PART 266							
MERCURY BEARING WASTES THAT MAY BE PROCESSED IN EXEMPT MERCURY RECOVERY UNITS							
mercury-bearing wastes that may be processed in exempt mercury recovery units	137, 214	Appendix XIII					

† Optional

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- 1 **Footnote 1 of Revision Checklist 223 indicates that this provision was withdrawn on June 4, 2010 (75 FR 31716); however, that FR notice corrected an error in the provision and the provision was further amended by the final rule addressed by Revision Checklist 228 which revised the language of the paragraph.**
- 2 Revision Checklist 85 removed and reserved this subpart.
- 3 Revision Checklist 112 removed and reserved this subpart.
- 4 There is a typographical error in § 266.70(b)(3) in the Federal Register article for the rule addressed by Revision Checklist 152 (April 12, 1996; 61 FR 16290). In the sentence “For precious metals exported to or imported from designated OECD member countries for recovery, subpart H of part 262 and § 265.12(a)(2) of this chapter.”, after “for recovery” insert “persons who generate, transport or store recyclable materials are subject to”.
- 5 **Footnote 2 of Revision Checklist 237 (81 FR 85732, November 28, 2016) indicates that this provision is more stringent and must be adopted by the state. Additionally, Footnote 5 of Revision Checklist 237 notes that references in several provisions in 266.80(a) made to 262.12 were revised to read as 262.18 in the Hazardous Waste Generator Improvements Rule (November 28, 2016, 81 FR 85732, Revision Checklist 237).**
- 6 Revision Checklist 176 (63 FR 71225; December 24, 1998) restores and reorganizes the management rules for storing lead-acid batteries before reclamation that were mistakenly deleted in the final Universal Waste Rule (50 FR 25492).
- 7 Revision Checklist 158 revised this title by adding (Effective August 21, 1991)”.
- 8 Note that the coke ovens administrative stay issued by Revision Checklist 98 has been removed by Revision Checklist 105 (57 FR 27880; June 22, 1992).
- 9 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. In addition, States may need to renumber their 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.
- 10 **There is a typographical error in the final rule addressed by Revision Checklist 212 (70 FR 59402, October 12, 2005). The rule introduces a new 40 CFR 266.100(b)(3) with three subparagraphs; however, the second and third subparagraphs are both designated as 266.100(b)(3)(ii). This error is also found in the July 1, 2006 CFR. Revision Checklist 217 (73 FR 18970, April 8, 2008) redesignated the second paragraph (b)(3)(ii) (i.e., the third subparagraph addressing Section 266.107) as paragraph (b)(3)(iii).**
- 11 Revision Checklist 182 (64 FR 52828; September 30, 1999) redesignated old 266.100(b) as 266.100 (c) and added a new 266.100(b). Revision Checklist 197 (67 FR 6792; February 13, 2002) redesignated 266.100(b)(2)(i)-(iv) as (b)(2)(ii)-(v) and added a new (b)(2)(i).
- 12 **An internal reference error in the final rule addressed by revision Checklist 237 (81 FR 85732, May 30, 2017) affects provision 266.100(c)(3) within the 2017 CFR. This provision, concerning exempted hazardous wastes that are not subject to Part 266 regulation, should be corrected by substituting the clause “special requirements for conditionally exempt small quantity generators under § 261.5 of this chapter” with “special requirements for very small quantity generators under §§ 262.13 and 262.14 of this chapter”.**

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- 13 Revision Checklist 182 (64 FR 52828; September 30, 1999) redesignated old 266.100(c) as 266.100(d).
- 14 If a State chooses to adopt the optional exemption at 266.100(h), the State must also amend 266.100(d)(1) and 266.100(d)(3) to add the clauses regarding lead recovery furnaces subject to the Secondary Lead Smelting NESHAP.
- 15 In the September 30, 1999 rule (Revision Checklist 182; 64 FR 52828), the Federal Register does not reprint the entire introductory paragraph at 266.100(d)(3) after the newly inserted phrase. The paragraph contains references to subparagraphs of 266.100(c) which has been redesignated as 266.100(d). This paragraph should have been reprinted and the references changed to reflect the redesignation. Also, the July 1, 2000 and July 1, 2001 CFRs contains an error at this provision. The introductory paragraph is only printed through the new language added by Revision Checklist 182; the rest of the paragraph has been omitted. Revision Checklist 198 amended and corrected the error.
- 16 Revision Checklist 182 (64 FR 52828; September 30, 1999) redesignated old 266.100(d)-(f) as 266.100(e)-(g).
- 17 Revision Checklist 144 (June 29, 1995; 60 FR 33912) removed the alternative HC limit of the former 266.104(f). Although the preamble to the June 29, 1995 rule says that all references to the alternative HC limit were removed, no change to this portion of code was specified.
- 18 There seems to be an error in the Federal Register addressed by Revision Checklist 85. Federal code refers to “particulate matter standard in § 266.111(b),” but 266.111(b) addresses definitions of “direct transfer equipment” and “container,” not particulate matter standards. It appears that the Federal code should likely reference 266.105(a) as it does contain a particulate matter standard.
- 19 Revision Checklist 144 (June 29, 1995; 60 FR 33912) removed the former 266.104(f) and redesignated the former 266.104(g), (h) and (i) as 266.104(f), (g) and (h), respectively.
- 20 Revision Checklist 182 (64 FR 52828; September 30, 1999) redesignated old 266.105(c) as 266.105(d).
- 21 Note that there is an error in the Federal Register addressed by Revision Checklist 111 (57 FR 38558; August 25, 1992). The phrase “dispersion modeling to predict the maximum annual average off-site ground level contamination for each” appears twice but should only occur once.
- 22 An internal reference error in the final rule addressed by revision Checklist 237 (81 FR 85732, May 30, 2017) affects the Note associated with provision 266.108(c) within the 2017 CFR. This Note, regarding the condition under which hazardous waste from small quantity generators may be burned in an off-site device, should be corrected by substituting the clause “special requirements for small quantity generators under § 261.5 of this chapter” with “special requirements for small quantity generators under §§ 262.13 and 262.16 of this chapter”.**
- 23 Note that Revision Checklist 96 replaced the old 266.112(a)(1) and 266.112(b)(1)(ii) introduced into the code by Revision Checklist 85.
- 24 Note that there is a typographical error in the Federal Register addressed by Revision Checklist 127 (58 FR 59598; November 9, 1993): in Note 2, “FO39” should be “F039” (i.e., should be a zero not an upper case “O”).
- 25 Revision Checklist 156 reserved Subparts I-L.

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- ²⁶ Revision Checklist 156 added a new Subpart M to Part 266 (§§ 266.200 through 266.206).
- ²⁷ Revision Checklist 191 added a new subpart N to part 266 (§§ 266.210 through 266.360).
- ²⁸ Note on page 27262 of 66 FR 27218-27266, the FR notice presents two versions of the title of subpart N. In column two, the subpart is entitled “Conditional Exemption for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal”. In column three, the subpart is entitled “Conditional Exemption for Low-Level Mixed Waste Storage and Disposal”. It was assumed the title in column two was the intended title. **Revision Checklist 214 (71 FR 40254, July 14, 2006) corrects the Part 266, Subpart N heading to read “Subpart N - Conditional Exemption for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal”.**
- ²⁹ Revision Checklist 127 (58 FR 59598; November 9, 1993) redesignated the original “Note” which was introduced by Revision Checklist 85 (56 FR 7134; February 21, 1991) as “Note 1”, and added “Note 2”.
- ³⁰ Revision Checklist 182 (64 FR 52828; September 30, 1999) revised the appendix title from “Potential PICs for Determination of Exclusion of Waste-Derived Residues” to “Organic Compounds for which Residues must be Analysed”.
- ³¹ There is a typographical error at 64 FR 53076. Within the table at Appendix VIII to Part 266, in the “Semivolatile” column, “Plychlorinate dibenzo-furans” should be “Polychlorinate dibenzo-furans”.
- ³² Among other amendments, Revision Checklist 208 (70 FR 34538; June 14, 2005) made several redesignations within Part 266, Appendix IX, Section 1.0. For details please see the FR notice or the revision checklist. Additionally, while no changes were made by the final rule addressed by Revision Checklist 208 to Part 266, Appendix IX, Section 4.0, footnote 1, the provision was included in the Final Rule addressed by this revision checklist.**
- ³³ Appendix X to Part 266 was originally added to the Federal code by Revision Checklist 85 (56 FR 7134; February 21, 1991) and amended by Revision Checklist 94 (56 FR 32688; July 17, 1991). It was removed (including Appendix A-C of Appendix X) by Revision Checklist 125 (58 FR 38816; July 20, 1993).