

Revision Checklist 107 Summary

Rule Title: Hazardous Waste Management System; General; Identification and Listing of Hazardous Waste; Used Oil
Checklist Title: Used Oil Filter Exclusion; Technical Corrections
Reference: 57 FR 29220
Promulgation Date: July 1, 1992
Effective Date: July 1, 1992
Cluster: RCRA III
Provision Type: HSWA
Linkage: Revision Checklist 104 (Optional)
Optional: Yes (conditionally optional--required only if optional Revision Checklist 104 is adopted)

Summary: These technical corrections amend the final rule promulgated on May 20, 1992 (57 FR 21524; Revision Checklist 104) which excludes from the definition of hazardous waste certain used oil filters that have been drained. This July 1, 1992 rule corrects two typographical errors, one in the preamble discussion and one in the regulatory language at 261.4(b)(15).

State Authorization: This rule is placed in RCRA Cluster III. It is considered "conditionally optional" because it is linked to whether a State chooses to adopt the optional oil filter exemption addressed by Revision Checklist 104. If a State does adopt this exemption, it must also adopt the technical corrections addressed by Revision Checklist 107. If the State does not adopt this exemption (i.e., Revision Checklist 104), the State should not adopt Revision Checklist 107. For States that adopt this rule, the due date is July 1, 1994 (or July 1, 1995 if a State statutory change is necessary). Both interim and final authorization are available, with the former expiring on January 1, 2003. The State Revision Application must include applicable regulations, an AG statement addendum, Revision Checklist 107, other associated checklists and other application materials, i.e., a program description and an MOA, as determined by the Regional office.

Attorney General's Statement Entry: The entry at Subsection I X in the Model Revision Attorney General's Statement should be replaced with the following:

X. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations exempt, from the definition of hazardous, used oil filters meeting the 40 CFR 261.4(b)(15) criteria as indicated in Revision Checklists 104 and 107.

Federal Authority: RCRA §§1004, 1006, 2002, 3001 and 3014; 40 CFR 261.4(b)(15) as amended May 20, 1992 (57 FR 21524) and July 1, 1992 (57 FR 29220).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General