

CONSOLIDATED CHECKLIST C6
Part 3 of 5 parts
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265, Subparts K-R, as of June 30, 2018

Note: Consolidated Checklist C6 is divided into five separate documents solely for ease of handling its printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. The prenotes and endnotes associated in each document have been placed in the document to which they apply.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
SUBPART K - SURFACE IMPOUNDMENTS							
APPLICABILITY							
surface impoundments used to treat, store, or dispose of hazardous waste	*	265.220					
DESIGN REQUIREMENTS							
1 surface impoundment units that must install two or more liners and a leachate collection and removal system between such liners and operate leachate collection and removal systems in accordance with 264.221(c).	17 H, 100, †213, 214	265.221(a)					
notify Regional Administrator; Part B application	17 H	265.221(b)					
†, 2 when a replacement surface impoundment unit is exempt from 265.221(a):	17 H, 100	265.221(c)					
constructed in compliance with RCRA 3004(o)(1)(A)(i) and (o)(5) design standards	100	265.221(c)(1)					
no reason to believe liner is not functioning as designed	100	265.221(c)(2)					
†, 3 Waiver From Double Liner Requirements							
conditions for waiving 265.221(a)	17 H	265.221(d)					
	17 H, 74	265.221(d)(1)					
	17 H, 214	265.221(d)(2)(i)(A)					
		265.221(d)(2)(i)(B)					
	17 H	265.221(d)(2)(i)(C)					
17 H	265.221(d)(2)(ii)						

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† first permit must honor liner system installed pursuant to 265.221(a), except if leaking	17 H	265.221(e)					
4 60 cm of freeboard required	IV B, †, 15, 100	265.221(f)					
†, 4 condition for variance from 60 cm of freeboard	15, 100	265.221(g)					
surface impoundments newly subject to RCRA §3005(j)(1) must be in compliance with 265.221(a),(c)&(d) no later than 48 months after additional characteristic or listing promulgation; Part 268 land disposal prohibitions or an extension to an effective date, within the 48-month period, shall not cut short compliance period	109	265.221(h)					
4 ACTION LEAKAGE RATE							
proposed action leakage rate to Regional Administrator when submitting 265.221(b) notice; within 60 days of receipt, Regional Administrator will establish action leakage rate or extend review period; when the proposed rate will be approved	100	265.222(a)					
Regional Administrator approval of action leakage rate for 265.221(a) units; definition of action leakage rate; adequate safety margin	100	265.222(b)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
how to determine if action leakage rate has been exceeded; unless another calculation approved, average daily flow rate calculated weekly during active life and closure period, and monthly during post-closure care period	100	265.222(c)					
CONTAINMENT SYSTEM							
protective cover required for earthen dikes	IV B	265.223					
5 RESPONSE ACTIONS							
if unit subject to 265.221(a), then must develop and keep on site until closure a response action plan ; must set forth actions to be taken if action leakage rate is exceeded; content as specified in 265.224(b)	100, 213	265.224(a)					
responsibilities if flow rate into leak detection system exceeds the action leakage rate for any sump:	100, 213	265.224(b)					
notify Regional Administrator in writing within seven days of determination	100, 213, 214	265.224(b)(1)					
preliminary assessment to Regional Administrator within 14 days of determination; what assessment must address	100, 213	265.224(b)(2)					
determine location, size and cause of any leak	100, 213	265.224(b)(3)					
determine 1) whether waste receipt should cease or be curtailed, 2) whether waste should be removed for inspection, repairs, or controls, and 3) whether unit should be closed	100, 213	265.224(b)(4)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
determine short- and longer-term actions to mitigate or stop any leaks	100, 213	265.224(b)(5)					
within 30 days after Regional Administrator notification, submit the results of 265.224(b)(3)-(5) analyses, the results of actions taken, and actions planned; thereafter, as long as flow rate exceeds action leakage rate, monthly report to Regional Administrator summarizing results of remedial actions taken and actions planned	100, 213	265.224(b)(6)					
how the 265.224(b)(3)-(5) determinations must be made:	100, 213	265.224(c)					
assess the source of liquids and amounts by source	100, 213	265.224(c)(1)(i)					
conduct analyses of liquids in leak detection system to identify sources of liquids and location of leaks, and the hazard and mobility of the liquid	100, 213	265.224(c)(1)(ii)					
assess seriousness of leaks	100, 213	265.224(c)(1)(iii)					
document why assessments not needed	100, 213	265.224(c)(2)					
WASTE ANALYSIS AND TRIAL TESTS							
waste analyses in addition to 265.13 and the circumstances requiring them	IV B	265.225(a)					
		265.225(a)(1)					
		265.225(a)(2)					
		265.225(a)(2)(i)					
		265.225(a)(2)(ii)					
6 MONITORING AND INSPECTION							
daily and weekly inspection requirements	IV B	265.226(a)					
		265.226(a)(1)					
		265.226(a)(2)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if leak detection system required under 265.221(a), record amount of liquid removed from each sump, at least weekly during active life and closure period	100	265.226(b)(1)					
after final cover installed, record amount of liquids at least monthly; when quarterly and semi-annual recording allowed; when monthly recording must resume	100	265.226(b)(2)					
“pump operating level” defined	100	265.226(b)(3)					
reserved		265.227					
CLOSURE AND POST-CLOSURE CARE							
closure requirements	IV B, 36	265.228(a)					
		265.228(a)(1)					
		265.228(a)(2)					
		265.228(a)(2)(i)					
		265.228(a)(2)(ii)					
		265.228(a)(2)(iii)					
		265.228(a)(2)(iii)(A)					
		265.228(a)(2)(iii)(B)					
	265.228(a)(2)(iii)(C)						
	IV B, 36, 214	265.228(a)(2)(iii)(D)					
	IV B, 36	265.228(a)(2)(iii)(E)					
7 post-closure requirements	IV B, 36	265.228(b)					
		265.228(b)(1)					
	100, 214	265.228(b)(2)					
	IV B, 36, 100	265.228(b)(3)					
		265.228(b)(4)					
removed	IV B, 36	265.228(c)					
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
conditions for placement in a surface impoundment	*, †15, 78	265.229					
waste treatment to specific criteria prior to placement	IV B, †15	265.229(a)					
		265.229(a)(1)					
		265.229(a)(2)					
8 waste management to prevent reaction or ignition	IV B, †15	265.229(b)(1)					
	IV B, †15, 214	265.229(b)(2)					
		265.229(b)(3)					
emergency placement	IV B, †15	265.229(c)					
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
prohibited co-disposal of incompatible wastes or materials unless compliance with 265.17(b)	IV B	265.230					
AIR EMISSION STANDARDS							
owners/operators subject to applicable requirements of 265, Subparts BB & CC if they place hazardous waste in surface impoundment	154	265.231					
SUBPART L - WASTE PILES							
APPLICABILITY							
storage or treatment facilities using waste piles; alternative management under 265, Subpart N	IV B	265.250					
PROTECTION FROM WIND							
wind dispersal control	IV B	265.251					
WASTE ANALYSIS							
additional analyses	IV B	265.252					
CONTAINMENT							
to control leachate or run-off	IV B	265.253					
place pile on impermeable base with run-on and run-off management	IV B	265.253(a)(1)					
		265.253(a)(2)					
		265.253(a)(3)					
		265.253(a)(4)					
protect pile from precipitation and liquids	IV B	265.253(b)(1)					
		265.253(b)(2)					
9 DESIGN AND OPERATING REQUIREMENTS							
waste piles which must install two or more liners and a leachate collection and removal system in accordance with 264.251(c) unless exempt under 264.251(d), (e) or (f); compliance with 265.221(b) procedures; "construction commences" defined under "existing facility"	17 H, 100	265.254					
ACTION LEAKAGE RATES							

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
proposed action leakage rate to Regional Administrator when submitting 265.254 notice; within 60 days of receipt, Regional Administrator will establish action leakage rate or extend review period; when the proposed rate will be approved	IV B	265.255(a)					
10 Regional Administrator approval of action leakage rate for 265.254 units; definition of action leakage rate; adequate safety margin	100, 214	265.255(b)					
how to determine if action leakage rate has been exceeded; unless another calculation approved, average daily flow rate calculated weekly during active life and closure period	100	265.255(c)					
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
conditions for placement of ignitable or reactive waste in waste piles	IV B, 78	265.256(a)					
	IV B	265.256(a)(1)					
		265.256(a)(2)					
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
placement in same pile prohibited unless 265.17(b) is complied with	IV B	265.257(a)					
waste separation or protection	IV B	265.257(b)					
base decontamination	IV B	265.257(c)					
CLOSURE AND POST-CLOSURE CARE							
closure requirements	IV B	265.258(a)					
post-closure care if not all contaminated subsoils can be practically removed	IV B	265.258(b)					
RESPONSE ACTIONS							

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				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
if unit subject to 265.254, then must develop and keep on on-site until closure of the facility a response action plan ; must set forth actions to be taken if action leakage rate is exceeded; content as specified in 265.259(b)	100, †213	265.259(a)					
responsibilities if flow rate into leak detection system exceeds the action leakage rate for any sump:	100	265.259(b)					
notify Regional Administrator in writing within seven days of determination	100, 214	265.259(b)(1)					
preliminary assessment to Regional Administrator within 14 days of determination; what assessment must address	100	265.259(b)(2)					
determine location, size and cause of any leak	100	265.259(b)(3)					
determine 1) whether waste receipt should cease or be curtailed, 2) whether waste should be removed for inspection, repairs, or controls, and 3) whether unit should be closed	100	265.259(b)(4)					
determine short- and longer-term actions to mitigate or stop any leaks	100	265.259(b)(5)					

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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
within 30 days after Regional Administrator notification, submit the results of 265.259(b)(3)-(5) analyses, the results of actions taken and actions planned thereafter, as long as flow rate exceeds action leakage rate, monthly report to Regional Administrator summarizing results of remedial actions taken and actions planned	100	265.259(b)(6)					
how the 265.259(b)(3),(4) & (5) determinations must be made:	100	265.259(c)					
assess the source of liquids and amounts by source	100	265.259(c)(1)(i)					
conduct analyses of liquids in leak detection system to identify sources of liquids and location of leaks, and the hazard and mobility of the liquid	100	265.259(c)(1)(ii)					
assess seriousness of leaks	100	265.259(c)(1)(iii)					
document why assessments not needed	100	265.259(c)(2)					
MONITORING AND INSPECTION							
if leak detection system required under 265.254, record amount of liquids removed from each sump, at least weekly during active life and closure period	100	265.260					
SUBPART M - LAND TREATMENT							
APPLICABILITY							
facilities that treat or dispose of hazardous waste in land treatment units	*	265.270					
reserved		265.271					

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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
GENERAL OPERATING REQUIREMENTS							
conditions for land treatment	IV B, †15	265.272(a)					
run-on control	IV B	265.272(b)					
run-off control	IV B	265.272(c)					
maintenance of collection capacity	IV B	265.272(d)					
wind dispersal control	IV B	265.272(e)					
WASTE ANALYSIS							
additional analyses	*	265.273					
Toxicity Characteristic	IV B, 74	265.273(a)					
listed wastes	IV B	265.273(b)					
heavy metals	IV B	265.273(c)					
reserved		265.274 & 265.275					
FOOD-CHAIN CROPS							
notification if grow food chain crops	IV B	265.276(a)					
prohibition against food chain crops, unless demonstration for 265.273(b) waste constituents	IV B	265.276(b)(1)					
		265.276(b)(1)(i)					
		265.276(b)(1)(ii)					
demonstration information must be kept at facility; what it must be based on; what it must include	IV B	265.276(b)(2)					
		265.276(b)(2)(i)					
		265.276(b)(2)(ii)					
additional requirements for land treatment facility receiving waste with cadmium	IV B	265.276(c)					
requirements if crops are in human food chain	IV B	265.276(c)(1)(i)					
		265.276(c)(1)(ii)					
		265.276(c)(1)(iii)					
		265.276(c)(1)(iii)(A)					
		265.276(c)(1)(iii)(B)					
requirements if crops will be used as animal feed	IV B	265.276(c)(2)(i)					
		265.276(c)(2)(ii)					
		265.276(c)(2)(iii)					
		265.276(c)(2)(iv)					
reserved		265.277					
UNSATURATED ZONE (ZONE OF AERATION) MONITORING							
written unsaturated zone monitoring plan required and implemented; what plan must be designed to do	IV B	265.278(a)					
		265.278(a)(1)					
		265.278(a)(2)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what unsaturated zone monitoring must at a minimum include	IV B	265.278(b)					
		265.278(b)(1)					
		265.278(b)(2)					
demonstration required to comply with 265.278(a)(1)	IV B	265.278(c)					
		265.278(c)(1)					
		265.278(c)(2)					
		265.278(c)(2)(i)					
		265.278(c)(2)(ii)					
retention of plan; rationale	IV B	265.278(d)					
soil and soil-pore water analysis	IV B	265.278(e)					
RECORDKEEPING							
operating record to include waste application dates and rates	IV B	265.279					
CLOSURE AND POST-CLOSURE							
objectives which must be addressed in closure and post-closure plans	IV B	265.280(a)					
		265.280(a)(1)					
		265.280(a)(2)					
		265.280(a)(3)					
	IV B, 214	265.280(a)(4)					
factors needed to meet the closure and post-closure care objectives of 265.280(a)	IV B	265.280(b)					
		265.280(b)(1)					
		265.280(b)(2)					
		265.280(b)(3)					
		265.280(b)(4)					
		265.280(b)(5)					
		265.280(b)(6)					
		265.280(b)(7)					
methods to address closure/post-closure plan objectives	IV B	265.280(c)					
		265.280(c)(1)					
		265.280(c)(2)					
		265.280(c)(2)(i)					
		265.280(c)(2)(ii)					
		265.280(c)(3)					
closure requirements in addition to Subpart G requirements	IV B	265.280(d)					
		265.280(d)(1)					
		265.280(d)(2)					
		265.280(d)(3)					
		265.280(d)(4)					
certification that facility has been closed in accordance with specifications of approved plan	IV B, †213	265.280(e)					
requirements in addition	IV B	265.280(f)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
to 265.117 requirements		265.280(f)(1)					
		265.280(f)(2)					
		265.280(f)(3)					
		265.280(f)(4)					
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
conditions for applying ignitable or reactive wastes to treatment zone	*, 78	265.281					
immediate incorporation of waste into soil	IV B	265.281(a)					
	IV B, 214	265.281(a)(1)					
	IV B	265.281(a)(2)					
protective management so no reaction or ignition	IV B	265.281(b)					
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
conditions for disposal of incompatible wastes or materials	IV B	265.282					
SUBPART N - LANDFILLS							
APPLICABILITY							
apply to hazardous waste disposal facilities using landfills	IV B	265.300					
DESIGN AND OPERATING REQUIREMENTS							
11 landfills which must install two or more liners and a leachate collection and removal system above and between such liners, and operate in accordance with 264.301(c), unless exempted under 264.301(d), (e) or (f)	17 H, 100, † 213, 214	265.301(a)					
notify Regional Administrator	17 H	265.301(b)					
†, 12 when a landfill owner/operator is exempt from 265.301(a)	17 H, 100	265.301(c)					
meets RCRA 3004(o)(1)(A)(i) and (o)(5) design standards	100	265.301(c)(1)					
no reason to believe liner is not functioning as designed	100	265.301(c)(2)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
†, 3 Waiver From Double Liner Requirements							
13	waiver for monofills	17 H	265.301(d)				
		17 H, 108, 214	265.301(d)(1)				
		17 H	265.301(d)(2)(i)(A)				
		17 H, 214	265.301(d)(2)(i)(B)				
		17 H	265.301(d)(2)(i)(C)				
			265.301(d)(2)(ii)				
†	liner systems installed pursuant to 265.301(a) will be honored, unless leaking	17 H	265.301(e)				
14	run-on control	I B, 100	265.301(f)				
14	run-off control	IV B, 100	265.301(g)				
14	collection and holding facilities	IV B, 100	265.301(h)				
14	wind dispersal control	IV B, 100	265.301(i)				
14	ACTION LEAKAGE RATE						
	proposed action leakage rate to Regional Administrator when submitting 265.301(b) notice; within 60 days of receipt Regional Administrator will establish action leakage rate or extend the review period; when the proposed rate will be approved	100	265.302(a)				
15	Regional Administrator approval of action leakage rate for units subject to 265.301(a); definition of action leakage rate; adequate safety margin	100, 214	265.302(b)				
	how to determine if action leakage rate has been exceeded; unless another calculation approved, average daily flow rate calculated weekly during active life and closure period, and monthly during post-closure care period	100	265.302(c)				

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
RESPONSE ACTIONS							
if unit subject to 265.301(a), then must develop and keep on-site until closure of the facility a response action plan ; must set forth actions to be taken if action leakage rate is exceeded; content as specified in 265.303(b)	100, †213	265.303(a)					
responsibilities if flow rate into leak detection system exceeds the action leakage rate for any sump:	100	265.303(b)					
notify Regional Administrator in writing within seven days of determination	100, 214	265.303(b)(1)					
preliminary assessment to Regional Administrator within 14 days of determination; what assessment must address	100	265.303(b)(2)					
determine location, size and cause of any leak	100	265.303(b)(3)					
determine 1) whether waste receipt should cease or be curtailed, 2) whether waste should be removed for inspection, repairs, or controls, and 3) whether unit should be closed	100	265.303(b)(4)					
determine short- and longer-term actions to mitigate or stop any leaks	100	265.303(b)(5)					

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within 30 days after Regional Administrator notification, submit the results of 265.303(b)(3)-(5) analyses, the results of actions taken and actions planned; thereafter, as long as flow rate exceeds action leakage rate, monthly report to Regional Administrator summarizing results of remedial actions taken and actions planned	100	265.303(b)(6)					
how the 265.303(b)(3)-(5) determinations must be made:	100	265.303(c)					
assess the source of liquids and amounts by source	100	265.303(c)(1)(i)					
conduct analyses of liquids in leak detection system to identify sources of liquids and location of leaks, and the hazard and mobility of the liquid	100	265.303(c)(1)(ii)					
assess seriousness of leaks	100	265.303(c)(1)(iii)					
document why assessments not needed	100	265.303(c)(2)					
MONITORING AND INSPECTION							
if leak detection system required under 265.301(a), record amount of liquids removed from each sump, at least weekly during active life and closure period	100	265.304(a)					
after final cover installed, record amount of liquid at least monthly; when quarterly and semiannual recording allowed; when monthly recording must resume	100	265.304(b)					
definition of "pump operating level"	100	265.304(c)					

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
reserved		265.305-265.308					
SURVEYING AND RECORDKEEPING							
items which must be in operating record	*	265.309					
location and dimensions of landfill to be shown on maps	IV B	265.309(a)					
contents of each cell and location of each hazardous waste type in each cell	IV B	265.309(b)					
CLOSURE AND POST-CLOSURE CARE							
cover requirements at final closure	IV B, 15	265.310(a)					
		265.310(a)(1)					
		265.310(a)(2)					
		265.310(a)(3)					
		265.310(a)(4)					
265.310(a)(5)							
post-closure requirements	IV B, 15	265.310(b)					
final cover requirements	IV B, 15	265.310(b)(1)					
16 maintain and monitor the leak detection system in accordance with 264.301(c)(3)(iv) & (4), and 265.304(b); comply with other applicable Part 265 leak detection system requirements	100	265.310(b)(2)					
16 ground-water monitoring system requirements	IV B, 15, 100	265.310(b)(3)					
16 run-on and run-off control requirements	IV B, 15, 100	265.310(b)(4)					
16 protect and maintain surveyed benchmarks	IV B, 15, 100	265.310(b)(5)					
17 removed	IV B, 15	265.310(c)					
		265.310(d)					
reserved		265.311					
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
placement prohibited unless waste and landfill meet Part 268 requirements and waste is no longer ignitable or reactive and 265.17(b) is complied with	IV B, 78	265.312(a)					
	IV B, 214	265.312(a)(1)					
	IV B	265.312(a)(2)					
containerized wastes	IV B, 78	265.312(b)					
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
conditions for disposal in landfill	IV B	265.313					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2018 (cont'd)

	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
					EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
18	SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS							
	Removed	IV B, 17 F, 213	265.314(a)					
	Removed	IV B, 213	265.314(a)(1)					
	Removed	IV B, 118, 213	265.314(a)(2)					
19	May 8, 1985 free liquids ban	17 F, 118, 213	265.314(a)					
20	conditions for placement of containers holding free liquids in a landfill		265.314(b)					
			265.314(b)(1)					
			265.314(b)(1)(i)					
			265.314(b)(1)(ii)					
			265.314(b)(1)(iii)					
			265.314(b)(2)					
			265.314(b)(3)					
	265.314(b)(4)							
21	paint filter test	16, †17 F, 25, 126, 208, 213	265.314(c)					
22	compliance date	IV B, †17 F, 213, 223	265.314(d)					
23	sorbents used to treat free liquids disposed in landfills must be nonbiodegradable; definition of nonbiodegradable sorbents		265.314(e)					
		118, 213	265.314(e)(1)					
		118, 213	265.314(e)(1)(i)					
		118, 213, 214	265.314(e)(1)(ii)					
	118, 213	265.314(e)(1)(iii)						
	tests for nonbiodegradable sorbents	118, 213	265.314(e)(2)					
	ASTM Method G21-70 (1984a)	118, 213	265.314(e)(2)(i)					
	ASTM Method G22-76 (1984b)	118, †145, 213	265.314(e)(2)(ii)					
†	OECD test 301B	145, 213	265.314(e)(2)(iii)					
24	nonhazardous liquids ban what must be demonstrated to Regional Administrator for exemption	17 F, 118, 213	265.314(f)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† only reasonable available alternative	17 F, 118, 213	265.314(f)(1)					
† not a risk of contaminating underground source of drinking water	17 F, 118, 213, 214	265.314(f)(2)					
25 SPECIAL REQUIREMENTS FOR CONTAINERS							
requirements if containers not very small	15	265.315					
at least 90% full	IV B, 15	265.315(a)					
crushed, shredded or reduced in volume before burial	IV B, 15	265.315(b)					
DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)							
conditions for placement of overpacked drums in landfills	*, 214	265.316					
inside container requirements including DOT requirements	IV B	265.316(a)					
overpacking--DOT requirements; outer container	IV B, 118, 223	265.316(b)					
26 absorbent material	IV B, 118, 214	265.316(c)					
incompatible wastes	IV B, 214	265.316(d)					
reactive wastes	IV B	265.316(e)					
†, 27 disposal in compliance with Part 268; fiber drums allowed for incineration of lab packs	78	265.316(f)					
SUBPART O - INCINERATORS							
APPLICABILITY							
regulations apply to owners and operators of hazardous waste incinerators (as defined in 260.10), except as 265.1 provides otherwise)	IV B, 13, 19, 85	265.340(a)					
†, 28, 29 integration of the MACT standards	182	265.340(b) intro					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
†, 28, 29 except as provided by 265.340(b)(2) and (b)(3), part 265 standards no longer apply when compliance with MACT requirements of part 63, subpart EEE is demonstrated by conducting performance test and submitting NOC under 63.1207(j) & 63.1210(d)	182, 197, 212	265.340(b)(1)					
†, 28, 29 following requirements continue to apply even when MACT compliance is demonstrated: 265.351 and applicable requirements of 265, subparts A-H, BB & CC	182	265.340(b)(2)					
when complying with 270.235(a)(1)(i) to minimize emissions of toxic compounds from startup and shutdown, 265.345 remains in effect	197	265.340(b)(3)					
28, 29 exemptions	IV B, †182	265.340(c)					
		265.340(c)(1)					
		265.340(c)(2)					
		265.340(c)(3)					
		265.340(c)(4)					
WASTE ANALYSIS							
analyze wastes not previously burned	*	265.341					
factors which at a minimum must be analyzed	IV B	265.341(a)					
		265.341(b)					
		265.341(c)					
reserved		265.342-265.344					
GENERAL OPERATING REQUIREMENTS							
during start-up and shut-down, limit waste feed to steady state	IV B	265.345					
reserved		265.346					
MONITORING AND INSPECTIONS							
monitoring and inspection requirement	*	265.347					
15-minute monitoring of combustion and emission control instruments; appropriate corrections	IV B	265.347(a)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
daily inspection of incinerator and associated equipment	IV B	265.347(b)					
reserved		265.348-265.350					
CLOSURE							
remove all hazardous wastes and residues	IV B	265.351					
INTERIM STATUS INCINERATORS BURNING PARTICULAR HAZARDOUS WASTES							
certification to burn dioxins	14	265.352(a)					
certification standards and procedures	14	265.352(b)					
		265.352(b)(1)					
		265.352(b)(2)					
		265.352(b)(3)					
SUBPART P - THERMAL TREATMENT							
OTHER THERMAL TREATMENT							
treatment in other than enclosed devices using controlled flame combustion; which subparts the unit is subject to	IV B, 13, 94	265.370					
reserved		265.371-265.372					
GENERAL OPERATING REQUIREMENTS							
waste feed limited to steady state conditions of operation, unless process is non-continuous	IV B	265.373					
reserved		265.374					
WASTE ANALYSIS							
analyze wastes not previously treated to establish steady state or other appropriate operating conditions	*	265.375					
factors which at a minimum must be analyzed	IV B	265.375(a)					
		265.375(b)					
		265.375(c)					
reserved		265.376					
MONITORING AND INSPECTIONS							
items requiring monitoring and inspections	IV B	265.377(a)					
		265.377(a)(1)					
		265.377(a)(2)					
		265.377(a)(3)					
reserved		265.378-265.380					
CLOSURE							
remove all hazardous waste and residues	IV B	265.381					
OPEN BURNING; WASTE EXPLOSIVES							

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
prohibition on open burning of hazardous wastes except for open burning and detonation of waste explosives; definitions	IV B	265.382					
INTERIM STATUS THERMAL TREATMENT DEVICES BURNING PARTICULAR HAZARDOUS WASTE							
certification to burn dioxins	14	265.383(a)					
certification standards and procedures	14	265.383(b)					
		265.383(b)(1)					
		265.383(b)(2)					
		265.383(b)(3)					
SUBPART Q - CHEMICAL, PHYSICAL, AND BIOLOGICAL TREATMENT							
APPLICABILITY							
applies to owners/operators of facilities which treat by chemical, physical, or biological methods in other than tanks, surface impoundments and land treatment facilities, except as 265.1 provides otherwise	IV B	265.400					
GENERAL OPERATING REQUIREMENTS							
comply with 265.17(b)	IV B	265.401(a)					
placement of wastes	IV B	265.401(b)					
cut-off for continuous feed	IV B	265.401(c)					
WASTE ANALYSIS AND TRIAL TESTS							
requirements in addition to 265.13	IV B	265.402(a)					
		265.402(a)(1)					
		265.402(a)(2)					
		265.402(a)(2)(i)					
		265.402(a)(2)(ii)					
INSPECTIONS							
items to be inspected and frequency of inspection	IV B	265.403(a)					
		265.403(a)(1)					
		265.403(a)(2)					
		265.403(a)(3)					
		265.403(a)(4)					
CLOSURE							
remove all hazardous wastes and residues	IV B	265.404					
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
ignitable or reactive waste must not be placed	IV B	265.405(a)					
	IV B, 214	265.405(a)(1)					

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts K-R, as of June 30, 2018 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
in treatment process or equipment unless certain conditions are met	IV B	265.405(a)(2)					
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
no treatment of incompatible wastes unless 265.17(b) compliance	IV B	265.406(a)					
no hazardous waste placed in unwashed treatment equipment unless 265.17(b) compliance	IV B	265.406(b)					
SUBPART R - UNDERGROUND INJECTION							
APPLICABILITY							
except as 265.1 provides otherwise:	*	265.430					
owner/operator exclusion	IV B	265.430(a)					
Class I and Class IV wells	IV B	265.430(b)					

- 1 Paragraph 265.221(a) was originally introduced by Revision Checklist 17H and was completely revised by Revision Checklist 100.
- 2 Paragraph 265.221(c) was originally introduced by Revision Checklist 17H. It was revised and restructured to include subparagraphs (c)(1) & (2) by Revision Checklist 100.
- 3 Citations within the double lines are optional, but if a State chooses to modify its program to adopt requirements equivalent to these provisions, it must adopt such requirements as a unit rather than by individual provision. In other words, all or none of these provisions must be included in a State's code. Subsequent changes to these provisions may or may not be optional for States that have adopted the original unit of provisions. An optional sign appears in front of the subsequent revision checklist number(s) if such subsequent changes are less stringent than or reduce the scope of the original requirements.
- 4 Revision Checklist 100 transferred the text of 265.222(a) & (b) as originally introduced by Checklist IV B to 265.221 and redesignated them as 265.221(f) & (g). Then, 265.222 was amended by Revision Checklist 100 by revising the section heading and adding paragraphs (a),(b) & (c).
- 5 **Note that Revision Checklist 100 (57 FR 3462; January 29, 1992) added a new 265.223 ("Response actions") when 265.223 ("Containment systems") was already in the code as introduced by Checklist IV B. Revision Checklist 213 (71 FR 16862, April 4, 2006) redesignated the old 265.223 titled "Response Actions" as 265.224.**
- 6 Revision Checklist 100 amended this section by revising the section heading and adding a new paragraph (b).
- 7 Revision Checklist 100 amended this section by redesignating the original paragraphs 265.228(b)(2)&(3) as 265.228(b)(3) & (4) and adding a new paragraph (b)(2). Note that there is an error in the Federal Register addressed by Revision Checklist 100; the internal reference "265.221(c)(2)(iv)" should be "264.221(c)(2)(iv)."
- 8 **Note that there is a printing error in the CFR beginning with the July 1, 1992 through the July 1, 2006 editions. The**

provision at paragraph 265.229(b)(2) in these CFRs should not have been part of the part 265 regulations and 265.229(b)(3) and (b)(4) should have been 265.229(b)(2) and (b)(3), respectively, as found in the July 1, 1991 CFR. The Revision Checklist 214 file rule corrected this error.

- 9 This section was completely revised by Revision Checklist 100, including the section heading.
- 10 Note that there is a typographical error in the Federal Register addressed by Revision Checklist 100 (57 FR 3462; January 29, 1992); “surface impoundment” should be “waste pile.”
- 11 Paragraph 265.301(a) was originally introduced by Revision Checklist 17H and was completely revised by Revision Checklist 100.
- 12 Paragraph 265.301(c) was originally introduced by Revision Checklist 17H. It was revised and restructured to include subparagraphs (c)(1) and (c)(2) by Revision Checklist 100.
- 13 There are several errors in the Federal Register addressed by Revision Checklist 108 (57 FR 30657; July 10, 1992) at 265.301(d)(1). First, “such waste does not” should read “such wastes do not” and “261.4 of this chapter” should be “261.24 of this chapter” as found in the July 15, 1985 Federal Register at 50 FR 28750 (Revision Checklist 17 H) and in the 1992 CFR. Second, “Waste Number” should be “Waste Numbers”.
- 14 Revision Checklist 100 transferred the text of 265.302(a), (b), (c) & (d) as originally introduced by Checklist IV B to 265.301 and redesignated them as 265.301(f), (g), (h) & (i). Section 265.302 was then amended by Revision Checklist 100 by revising the section heading and adding paragraphs (a), (b) & (c).
- 15 Note that there is a typographical error in the Federal Register addressed by Revision Checklist 100 (57 FR 3462; January 29, 1992); “surface impoundment” should be “landfill.”
- 16 Revision Checklist 100 amended this section by redesignating the original 265.310(b)(2), (3) & (4) as 265.310(b)(3), (4) & (5) and adding a new paragraph (b)(2).
- 17 Paragraphs 265.310(c) & (d) were removed by the final rule addressed by Revision Checklist 15; however, these removals were not included on Revision Checklist 15.
- 18 **Revision Checklist 213 (71 FR 16862, April 4, 2006) removed paragraph 265.314(a) and its subparagraphs that were initially added to the federal regulations by Base Program Checklist IVB and redesignated paragraphs (b) through (g) as paragraphs (a) through (f) with some minor revisions.**
- 19 Revision Checklist 17 F made extensive changes to this section of code, including redesignating the original paragraphs 265.314(b) & (c) as 265.314(c) & (e) and adding a new paragraph 265.314(b). **The provision was subsequently redesignated as 264.314(a) by the Revision Checklist 213 final rule.**
- 20 **265.314(b) was initially introduced into the federal regulations by Base Program Checklist IVB and subsequently redesignated as 265.314(c) by the Revision Checklist 17F final rule. The provision finally redesignated the existing 265.314(c) as 265.314(b).**
- 21 This provision was originally introduced to the code by the April 30, 1985 rule addressed by Revision Checklist 16 as **265.314(d)**. The paragraph was inadvertently reserved by the July 15, 1985 rule addressed by Revision Checklist 17 F. Revision Checklist 25 corrected the July 15, 1985 language by removing the “reserved” reference to paragraph (d) so that the paragraph would remain as originally promulgated. The provision was subsequently revised by Revision Checklists 126 and 208. **The Revision Checklist 213 final rule redesignated the provision as 265.314(c).**
- 22 **265.314(d) was introduced into the federal regulations as 265.314(c) by Base Program Checklist IVB and redesignated as 265.314(e) by the Revision Checklist 17F final rule. The provision was subsequently**

redesignated at 264.314(d) by the Revision Checklist 213 final rule.

- 23 **265.314(e) was introduced into the federal regulations as 265.314(f) by the Revision Checklist 118 final rule and was redesignated as 265.314(e) by the Revision Checklist 213 final rule.** Note that there is a typographical error in the November 18, 1992 Federal Register article (57 FR 54452, Revision Checklist 118); at 265.314(f)(1)(ii), “polysobutylene” should be “polyisobutylene.” This error is reflected in the CFR beginning with the July 1, 1993, edition **and was corrected by the Revision Checklist 214 final rule at 265.314(e)(1)(ii).**
- 24 Revision Checklist 17 F (50 FR 28702; July 15, 1985) introduced the original 265.314(f), 265.314(f)(1) and 265.314(f)(2) into the code. Revision Checklist 118 (57 FR 54452; November 18, 1992) redesignated those provisions as 265.314(g), 265.314(g)(1), and 265.314(g)(2). **The provision at 264.314(g) was subsequently redesignated as 265.314(f) by the Revision Checklist 213 final rule.**
- 25 Revision Checklist 15 completely revised the regulations at 264.315.
- 26 Note that there is a typographical error in the November 18, 1992 Federal Register article (57 FR 54452, Revision Checklist 118); “container’s” should be “containers,”.
- 27 This provision is part of the optional requirements for the alternate treatment standards for lab packs under the Third Third Scheduled Waste Rule. If adopted, all of the requirements (i.e., 264.316(f), 265.316(f), 268.7(a)(7), 268.7(a)(8), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268) related to these alternate treatment standards must be adopted.
- 28 States that adopt the optional exemption at 265.340(b)(1), must adopt all revisions to 265.340.
- 29 Revision Checklist 182 (64 FR 65828; September 30, 1999) redesignated old 265.340(b) as 265.340(c) and added a new 265.340(b).