

C. What Decisions Is the EPA Proposing To Make in This Standard Authorization?

The EPA is proposing to authorize Massachusetts regulations which will update the State's hazardous waste program. The proposed State regulations cover hazardous waste definitions and miscellaneous provisions, provisions for the identification and listing of hazardous wastes, and standards for hazardous waste generators, which correspond to RCRA Consolidated Checklists C1, C2 and C3, respectively. The State regulations are being updated to address most Federal RCRA requirements listed in Checklists C1, C2 and C3 through at least July 1, 1990. The EPA is proposing to authorize these changes. In addition to addressing requirements in Checklists C1, C2 and C3 not previously covered by authorized State regulations, the proposed State regulations make some changes to the previously authorized Satellite Accumulation, Universal Waste rule

and Toxicity Characteristics rule regulations. The EPA also is proposing to authorize these changes. In addition, the proposed State regulations include some State initiated changes to previously authorized Base Program regulations (*i.e.*, changes made for reasons other than addressing new EPA requirements). The EPA also is proposing to authorize these changes insofar as they address hazardous waste definitions and miscellaneous provisions, provisions for the identification and listing of hazardous wastes, and standards for hazardous waste generators, and except as specified below. Finally, the proposed State regulations include provisions which track the 180 Day Accumulation Time rule for metal finishing industry waste water treatment sludges (F006) being recycled, adopted by the EPA on March 6, 2000 (65 FR 12397). The EPA also is proposing to authorize these provisions.

The specific RCRA program revisions for which the EPA proposes to authorize

the Commonwealth of Massachusetts are listed in the table below. The Federal requirements in the table are identified by their checklist numbers and rule descriptions. The following abbreviation is used in defining analogous state authority: CMR = Code of Massachusetts Regulations. The citations in the table are to the CMR provisions as recently proposed to be adopted/amended by the MADEP in Massachusetts Register No. 983 (September 26, 2003). The EPA expects to authorize these provisions through a final Federal rule once they are adopted in final form by the MADEP through a final State rule, if the final State regulations are the same as the proposed State regulations. If the final State regulations are different from the proposed State regulations, the EPA expects to authorize them (without an additional round of public comment) if but only if the final regulations continue to meet standard authorization requirements and are a logical outgrowth of the proposed regulations.

Description of Federal requirements and checklist reference numbers	Analogous State authority
<p>Consolidated Checklist 1 through July 1, 1990, covering base program requirements in 40 CFR part 260, and requirements in the following rule checklists included in part 260:</p> <p>(5) National Uniform Manifest (definitions), 49 FR 10490, 3/20/84;</p> <p>(11) Corrections to Test Methods Manual, 49 FR 47390, 12/4/84;</p> <p>(13) Definition of Solid Waste, 50 FR 14216, 4/11/85 as amended on 8/20/85 at 50 FR 33541 (except for variance authorities, 40 CFR 260.30 through 40 CFR 260.33);</p> <p>(23) Generators of 100 to 1000 kg Hazardous Waste (definitions), 51 FR 10146, 3/24/86;</p> <p>(24) Financial Responsibility; Settlement Agreement (definitions), 51 FR 16422, 5/2/86;</p> <p>(28) Standards for Hazardous Waste Storage and Treatment Tank Systems (definitions), 51 FR 25422, July 14, 1986 as amended on August 15, 1986 at 51 FR 29430;</p> <p>(35) Revised Manual SW-846, Amended Incorporation by Reference (definitions), 52 FR 8072-8073, March 16, 1987;</p> <p>(49) Identification and Listing of Hazardous Waste, Treatability Studies Sample Exemption (definition), 53 FR 27290, 7/19/88;</p> <p>(67) Testing and Monitoring Activities, 54 FR 40260, 9/29/89;</p> <p>(71) Mining Waste Exclusion II (definition), 55 FR 2322, 1/23/90.</p>	<p>310 CMR 30.001-30.009; 30.010 (definitions), except for definitions relating to program elements not being authorized, namely "mixed waste," "municipal or industrial wastewater treatment facility permitted under M.G.L. c. 21, sec. 43" and definitions relating to used oil program; 30.011-30.030.</p>