

Description of Federal requirements and checklist reference numbers	Analogous State authority
<p><b>Consolidated Checklist 3</b> through July 1, 1990, covering base program requirements in 40 CFR part 262 and requirements in the following rule checklists included in part 262:</p> <p>(1) Biennial Report, 48 FR 3977, 1/28/83;</p> <p>(5) National Uniform Manifest, 49 FR 10490, 3/20/84;</p> <p>(17D) HSWA Codification Rule, Waste Minimization, 50 FR 28702, 7/15/85;</p> <p>(23) Generators of 100 to 1000 kg Hazardous Waste, 51 FR 10146, 3/24/86;</p> <p>(28) Standards for Hazardous Waste Storage and Treatment Tank Systems, 51 FR 25422, 7/14/86 as amended on 8/15/86 at 51 FR 29430;</p> <p>(31) Exports of Hazardous Waste, 51 FR 28664, 8/8/86;</p> <p>(32) Standards for Generators, Waste Minimization Certifications, 51 FR 35190, 10/1/86;</p> <p>(42) Exception Reporting for Small Quantity Generators of Hazardous Waste, 52 FR 35894, 9/23/87;</p> <p>(48) Farmer Exemptions, Technical Corrections, 53 FR 27164, 7/19/88;</p> <p>(58) Standards for Generators of Hazardous Waste, Manifest Renewal, 53 FR 45089, 11/8/88;</p> <p>(71) Mining Waste Exclusion II, 55 FR 2322, as described in Part III 1/23/90</p> <p><b>RCRA Cluster X:</b></p> <p>(184) Accumulation Time for Waste Water Treatment Sludges, 65 FR 12378, 3/8/00.</p> <p><b>Revisions to Previously Authorized Rules:</b></p> <p>(12) Satellite Accumulation Rule, 49 FR 49568, 12/20/84;</p> <p>(119) Toxicity Characteristics Revision, TCLP Correction, 57 FR 55114, 11/24/92 as amended on 2/2/93 at 58 FR 6854.</p> <p>(142) Universal Waste Rule, 60 FR 25492, 5/11/95.</p>	<p>310 CMR 30.301–30.352 (rules for large and small quantity generators); revisions to 30.685(1) (referenced by generator regulations); 30.361 (international shipments); 30.061–30.064 (generator notifications/i.d. numbers).</p> <p><b>Note:</b> The Massachusetts “Class A” recycling regulations regarding generators doing on-site recycling also will be authorized, as described in Part II of this document. Special rules for certain university laboratories covered by the New England Universities’ Laboratories XL project also will be authorized, as described in Part III of this document.</p> <p>310 CMR 30.340(5).</p> <p>310 CMR 30.340(6), 30.351(5), 30.351(2)(b)(6.) and 30.353(2)(b)(6.). 310 CMR 30.155 and 30.012 (updated incorporation by reference).</p> <p>310 CMR 30.1034(5)(c)(1.) (c.) (revised cross-reference).</p>

Following review of the proposed Massachusetts regulations, the EPA has determined that they are equivalent to, no less stringent than and consistent with the Federal program. The reasons for these determinations are set forth in the Administrative Docket, which is available for public review. Many of the proposed State regulations track Federal requirements virtually identically. Others differ from the Federal regulations in particular details, but have been determined by the EPA to be equivalent to the Federal regulations in providing the same (or greater) overall level of environmental protection with respect to each Federal requirement. The resolution of various issues relating to the proposed State regulations is recorded in an EPA Memorandum dated February 14, 2003 entitled “Comments on Proposed Massachusetts RCRA Regulations” and an EPA Memorandum dated March 31, 2003 entitled “Resolution of Issues Regarding Proposed Massachusetts RCRA Regulations.”

Future updates of the State’s regulations will need to address requirements covered by Checklists C1 through C3 adopted after July 1, 1990 and requirements covered by Checklists C4 through C10 adopted since July 1, 1984. The EPA has not reviewed and is not currently proposing to authorize

changes the State may have made to Base Program regulations relating to Checklists C4—C10. (Note, Checklists C4 through C10 address EPA provisions found in 40 CFR parts 263, 264, 265, 266, 268, 270, 124 and 279). Also not covered in the current proposed authorization are some rules issued by the EPA before July 1, 1990 which apply in part to generators, namely the 1986 Radioactive Mixed Waste rule/interpretation, the various rules relating to Land Disposal Restrictions (“LDRs”), and the 1990 Organics Air Emissions rule (“AA” and “BB” rule). Also not covered in the current proposed authorization are sector-specific rules that the MADEP has adopted for printers, photo processors and dry cleaners under its Environmental Results Program (“ERP”). Although many sources in these sectors are subject to RCRA requirements, the MADEP has advised the EPA that the ERP regulations have not made any changes to the hazardous waste management requirements applicable to these sectors, and has not submitted the ERP regulations for authorization at this time. Also not covered in the current proposed authorization is the proposed State regulation at 310 CMR 30.104(3)(d) relating to research facilities. That proposed regulation relates to an exemption from full Treatment, Storage,

Disposal Facility (“TSDF”) requirements found at 310 CMR 30.864. The EPA will review that research facility provision (and the related exemption) when the MADEP submits updated regulations for TSDFs (Consolidated Checklists C5, C6 and C9). Also not covered in the current proposed authorization is the proposed State definition of “municipal or industrial wastewater treatment facility permitted under M.G.L. c. 21, sec. 43” in 310 CMR 30.010. That proposed definition relates to an exemption from full TSDF requirements found at 310 CMR 30.801(4). The EPA will review this definition (and the related exemption) when the MADEP submits updated regulations for TSDFs.

#### *D. Where Are the Proposed State Rules Different From the Federal Rules?*

The most significant differences between the proposed State rules and the Federal rules are summarized below. It should be noted that this summary does not describe every difference, or every detail regarding the differences that are described. Members of the regulated community are advised to read the complete regulations to ensure that they understand all of the requirements with which they will need to comply.