

Revision Checklist 191 Summary

Rule Title: Storage, Treatment, Transportation, and Disposal of Mixed Waste
Checklist Title: Mixed Waste Rule
Reference: 66 FR 27218-27266
Promulgation Date: May 16, 2001
Effective Date: November 13, 2001
Cluster: RCRA Cluster XI
Provision Type: Non-HSWA
Linkage: MW (Mixed Waste non-checklist item)
Optional: Yes

Summary: This rule promulgates conditional exemptions for: (1) low-level mixed wastes (LLMW) from most RCRA Subtitle C storage and treatment regulations, and (2) LLMW and technologically enhanced naturally occurring and/or accelerator-produced radioactive material (NARM) from most RCRA Subtitle C manifesting, transportation, and disposal regulations when specified conditions are met. With this rule, the Agency intends to provide regulatory flexibility and relief to facilitate the disposal of certain LLMW and eligible NARM.

State Authorization: This rule is placed in RCRA Cluster XI. The State modification deadline is July 1, 2002 (or July 1, 2003 if a State statutory change is necessary).

This rule was promulgated under non-HSWA authorities. The changes do not go into effect in an authorized State until the State adopts and receives authorization for the revisions. Only final authorization is available. A State may not receive authorization for this checklist without receiving prior or concurrent authorization for the Mixed Waste (MW) non-checklist item.

Attorney General Certification Guidance: Specific AG certification of statutory authority may not be required for this checklist as long as the AG has previously demonstrated authority for regulation of the hazardous waste component of radioactive mixed waste.

Program Description Guidance: A State seeking authorization for this checklist may not need to submit a revised Program Description if the current Program Description addresses regulation of radioactive mixed waste.

Incorporation by Reference Guidance: There is no special guidance for States that incorporate by reference.