

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 260**

[FRL-5125-7]

RIN 2050-AD06

Hazardous Waste Management System; Testing and Monitoring Activities**AGENCY:** Environmental Protection Agency.**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is amending its hazardous waste regulations under subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976, as amended, for testing and monitoring activities. This amendment adds new and revised methods as Update II to the Third Edition of the EPA-approved test methods manual "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846. It also incorporates the SW-846 Third Edition, as amended by Updates I (promulgated August 31, 1993), II, and IIA (promulgated January 4, 1994 as part of the wood surface protection rule), into 40 CFR 260.11(a) for use in complying with the requirements of subtitle C of RCRA. The intent of this amendment is to provide better and more complete analytical technologies for RCRA-related testing and thus promote cost effectiveness and flexibility in choosing analytical test methods.

EFFECTIVE DATE: January 13, 1995. The incorporation by reference of the publication listed in the regulations is approved by the Director of the Federal Register as of January 13, 1995.

ADDRESSES: The official record for this rulemaking (Docket No. F-94-WT2F-FFFFF) is located at the U. S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460 (room M-2616), and is available for viewing from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. The public must make an appointment to review docket materials by calling (202) 260-9327. The public may copy a maximum of 100 pages of material from any one regulatory docket at no cost; additional copies cost \$0.15 per page.

Copies of the Third Edition of SW-846 as amended by Updates I, II, and IIA are part of the official docket for this rulemaking, and also are available from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402, (202) 783-3238.

The GPO document number is 955-001-00000-1. New subscriptions to SW-846 may be ordered from GPO at a cost of \$319.00 (subject to change). There is a 25% surcharge for foreign subscriptions and renewals.

FOR FURTHER INFORMATION CONTACT: For general information contact the RCRA Hotline at (800) 424-9346 (toll free) or call (703) 920-9810; or, for hearing impaired, call TDD (800) 553-7672 or (703) 486-3323. For technical information, contact Kim Kirkland or Charles Sellers, Office of Solid Waste (5304), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 260-4761.

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I. Authority

These regulations are being promulgated under the authority of sections 1006, 2002, 3001, 3002, 3004, 3005, 3006, 3010, and 3014 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (commonly known as RCRA), as amended [42 U.S.C. 6905, 6912(a), 6921-6927, 6930, 6934, 6935, 6937, 6938, 6939, and 6974].

II. Background Summary and Regulatory Framework

EPA Publication SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," contains the analytical and test methods that EPA has evaluated and found to be among those acceptable for testing under subtitle C of the Resource Conservation and Recovery Act (RCRA), as amended. Use of some of these methods is required by specific regulations, as discussed below. All of these methods are intended to promote accuracy, sensitivity, specificity, precision, and comparability of analyses and test results.

Several of the hazardous waste regulations under subtitle C of RCRA require that specific testing methods described in SW-846 be employed for certain applications. Any reliable analytical method may be used to meet other requirements in 40 CFR parts 260 through 270. For the convenience of the reader, the Agency lists below a number of the sections found in 40 CFR parts 260 through 270 that require the use of a specific method for a particular application, or the use of appropriate SW-846 methods in general:

- (1) Section 260.22(d)(1)(i)—Submission of data in support of petitions to exclude a waste produced at a particular facility (i.e., delisting petitions);
- (2) Section 261.22(a) (1) and (2)—Evaluation of waste against the corrosivity characteristic;
- (3) Section 261.24(a)—Leaching procedure for evaluation of a waste against the toxicity characteristic;
- (4) Section 261.35(b)(2)(iii)(A)—Testing rinsates from wood preserving cleaning processes;
- (5) Sections 264.190(a), 264.314(c), 265.190(a), and 265.314(d)—Evaluation of a waste to determine if free liquid is a component of the waste;
- (6) 264.1034(d)(1)(iii) and 265.1034(d)(1)(iii)—Testing total organic concentration of air emission standards for process vents;
- (7) 264.1063(d)(2) and 265.1063(d)(2)—Testing total organic concentration of air emission standards for equipment leaks;
- (8) Section 266.106(a)—Analysis in support of compliance with standards to control metals emissions from burning hazardous waste in boilers and industrial furnaces;
- (9) Section 266.112(b) (1) and (2)(i)—Certain analysis in support of exclusion from the definition of a hazardous waste of a residue which was derived from burning hazardous waste in boilers and industrial furnaces;