6912(a), 6921–6927, 6930, 6934–6939, 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) and that are required for specific regulations as discussed below. These methods are intended to promote accuracy, sensitivity, specificity, precision, and comparability of analyses and test results. In situations where the regulations require the use of appropriate SW–846 methods, the regulations specify use of the Third Edition of EPA's SW–846 manual as amended by Updates I, II, IIA, and IIB. SW–846 will be amended further to include the new and revised methods contained in this proposed Update III, and to delete those methods deemed obsolete in this proposal, if this proposal is adopted in final form.

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. Listed below are a number of provisions found in 40 CFR parts 260 through 270 that require 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 a 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 for monitoring compliance with air emission standards for process vents;

(7) 264.1063(d)(2) and 265.1063(d)(2)—Testing total organic concentration for monitoring compliance with 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 analyses 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;

(10) Section 268.32(i)—Evaluation of a waste to determine if it is a liquid for purposes of certain land disposal prohibitions;

(11) Sections 268.40(a), (b) and (f), 268.41(a), and 268.43(a)—Leaching procedure for evaluation of waste extract to determine compliance with land disposal treatment standards;

(12) Section 268.7(a)—Leaching procedure for evaluation of a waste to determine if the waste is restricted from land disposal;

(13) Sections 270.19(c)(1)(iii) and (iv), and 270.62(b)(2)(i)(C) and (D)—Analysis and approximate quantification of the hazardous constituents identified in the waste prior to conducting a trial burn in support of an application for a hazardous waste incineration permit; and

(14) Sections 270.22(a)(2)(ii)(B) and 270.66(c)(2)(i) and (ii)—Analysis conducted in support of a destruction and removal efficiency (DRE) trial burn waiver for boilers and industrial furnaces burning low-risk wastes, and analysis and approximate quantification conducted for a trial burn in support of an application for a permit to burn hazardous waste in a boiler and industrial furnace.

In other situations, SW–846 functions as a guidance document setting forth acceptable, although not required, methods to be implemented by the user, as appropriate, in responding to RCRA-related sampling and analysis requirements.

SW–846 is a document that changes over time as new information and data are developed. Advances in analytical instrumentation and techniques are continually reviewed by the Agency and periodically incorporated into SW–846 to support changes in the regulatory program and to improve method performance. Update III represents such an incorporation. Therefore, EPA solicits any available data and information that may affect the usefulness of SW–846.

III. Proposal

A. Revised Methods and Chapters

The Agency is today proposing to revise several methods contained in the Third Edition [1] of SW–846 and its Updates I, II, IIA, and IIB, as incorporated by reference into 40 CFR 260.11(a). These proposed revisions would improve the methods and provide additional performance information for each method. The Agency is also proposing to revise SW–846 Chapters Two, Three, Four, Five, Six, and Ten to incorporate new methods and method revisions into SW–846.

Table 1 lists the 37 methods and the six chapters that are proposed for revision. The revised methods and chapters are available from the Government Printing Office (GPO) and the National Technical Information Service (NTIS), and are part of the official docket for this rulemaking. For comparison purposes, original versions of the methods and chapters before these revisions can be found in Docket Nos. F–93–WTMF–FFFFF (Third Edition and Update I) and F–94–WT2F–FFFFF (Update II). The revised methods of proposed Update III can be found in Docket No. F–95–WT3P–FFFFF. Those with SW–846 subscriptions can refer to their copies of the Third Edition of SW–846 as amended by Updates I, II, IIA, and IIB; and to their copy of proposed Update III. The Agency is soliciting comments on all parts of each revised method, with the exception of Method 9095A for the reasons explained in section III.D of this proposed rule.

In its ongoing program to promote pollution prevention, the Agency notes that eighteen (see method numbers identified by an asterisk in Table 1) of the organic sample preparatory and cleanup methods which are proposed to be revised in Update III of SW–846 utilize a modified Kuderna-Danish (K–D) apparatus to concentrate sample extracts and minimize the evaporation of extraction solvents into the air. Specifically, the modified K–D apparatus in these methods includes a solvent recovery system. The recovered solvent can be properly disposed instead of released to the air as previously done. (Note: The K–D apparatus found in new Methods 3535 and 3542 of proposed Update III also include this pollution prevention improvement.)

[1] For an exception, see footnote number 1 of Table 1.