

## Revision Checklist 211 Summary

<b>Rule Title:</b>	Revision of Wastewater Treatment Exemptions for Hazardous Waste Mixtures (“Headworks exemptions”)
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<b>Reference:</b>	70 FR 57769-57785
<b>Promulgation Date:</b>	October 4, 2005
<b>Effective Date:</b>	November 3, 2005
<b>Cluster:</b>	RCRA Cluster XVI
<b>Provision Type:</b>	Non-HSWA
<b>Linkage:</b>	22
<b>Optional:</b>	Yes

**Summary:** Today’s rule adds benzene and 2-ethoxyethanol to the list of solvents whose mixtures with wastewaters are exempted from the definition of hazardous waste under the Resource Conservation and Recovery Act. The scrubber waters derived-from the combustion of any of the exempted solvents are also included in the exemption. In addition, the Agency is revising the rule by adding an option to allow generators to directly measure solvent chemical levels at the headworks of the wastewater treatment system to determine whether the wastewater mixture is exempt from the definition of hazardous waste. Finally, the Agency is extending the eligibility for the de minimis exemption to other listed hazardous wastes (beyond discarded commercial chemical products) and to non-manufacturing facilities.

**State Authorization:** This rule is placed in RCRA Cluster XVI. The State modification deadline is July 1, 2007 (or July 1, 2008 if a State statutory change is necessary).

This rule is promulgated pursuant to non-HSWA authority and is considered to be less stringent than the current Federal requirements. Therefore, States will not be required to adopt and seek authorization for this rule.

**Attorney General (AG) 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 identification and listing of hazardous waste.

**Program Description (PD) Guidance:** A State seeking authorization for this checklist should determine whether the revisions impact the program described in the Program Description.

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