

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

IN THE MATTER OF THE )  
ADOPTION OF CHAPTERS 1 )  
THROUGH 13 OF THE HAZARDOUS )  
WASTE MANAGEMENT RULES AND )  
REGULATIONS )

STATEMENT OF PRINCIPLE REASONS  
FOR ADOPTION

The Environmental Quality Council, pursuant to the authority vested in it by the Wyoming Statutes 35-11-112(a)(i), has adopted Chapters 1 through 13 of the Hazardous Waste Management Rules and Regulations.

Chapter 1 is entitled "General Provisions." Chapter 1 includes definitions of terms, a list of references used throughout the regulations, the purpose and scope of the rules and regulations, the hazardous waste permit program requirements, the requirements for rulemaking petitions, and the requirements for the availability of information.

Chapter 2 is entitled "Identification and Listing of Hazardous Waste" and identifies those waste materials which are subject to regulation as hazardous wastes.

Chapter 3 is entitled "Permit Applications." Chapter 3 contains permit application procedures and requirements for hazardous waste treatment, storage, or disposal facilities, including administrative procedures for permit applications such as permit application and review requirements, public notice and comment requirements, permit issuance and appeal procedures. Chapter 3 also specifies the technical information that must be submitted in the permit application.

Chapter 4 is entitled "Permit Conditions." Chapter 4 includes regulations on permit conditions that apply to all hazardous waste permits, including the permit conditions required to be incorporated into all hazardous waste permits, permit conditions for individual permits,

recordkeeping and reporting requirements and schedules of compliance. Chapter 4 also specifies the duration of permits and the continuation of expiring permits.

Chapter 5 is entitled "Financial Assurance" and establishes standards that owners and operators of hazardous waste treatment, storage, and disposal facilities must meet to demonstrate that they have and maintain adequate financial assurance to cover the costs of closure and post-closure care. Chapter 5 also establishes standards for liability insurance coverage, which is required of treatment, storage, and disposal facilities.

Chapter 6 is entitled "Permit Modification, Revocation and Reissuance, or Termination." Chapter 6 includes the standards and procedures for changes to permits including the modification, revocation and reissuance or termination.

Chapter 7 is entitled "Special Forms of Permits" and lists and describes the various forms of special hazardous waste permits.

Chapter 8 is entitled "Standards Applicable to Generators of Hazardous Wastes." Chapter 8 establishes the standards that generators of hazardous waste must meet.

Chapter 9 is entitled "Standards Applicable to Transporters of Hazardous Wastes" and establishes standards that transporters of hazardous waste must meet.

Chapter 10 is entitled "Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities." Chapter 10 establishes minimum design, location, construction, operation, closure, and post-closure standards for facilities which treat, store, and dispose of hazardous waste.

Chapter 11 is entitled "Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities." Chapter 11 includes regulations that define the acceptable management of hazardous waste during the period of interim status when a facility is temporarily permitted to operate while awaiting denial or issuance of a permanent permit, and until certification of final closure or applicable post-closure requirements are fulfilled.

Chapter 12 is entitled "Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities and Standards for the Management of

Used Oil." Chapter 12 includes regulations on the standards for the management of specific hazardous wastes including recyclable materials used in a manner constituting disposal. The chapter also includes regulations on specific types of hazardous waste management facilities, as well as standards pertaining to the management of used oil.

Chapter 13 is entitled "Land Disposal Restrictions." Chapter 13 establishes restrictions on the land disposal of hazardous wastes and includes general requirements and limited exceptions to the land disposal prohibitions.

These chapters are being adopted to govern the management of hazardous waste to reflect the special conditions that exist and that are unique to the State of Wyoming, including provisions that are more stringent than the federal provisions. These chapters incorporate minimum federal regulatory criteria to allow the state to qualify for full federal approval of its solid waste regulatory program so the state hazardous waste rules operate in lieu of the federal rules.

The Council find that this regulation is reasonable and necessary to accomplish the policy and purpose of the Act, as stated in W.S. 35-11-102, and that it has been promulgated in accord with the rulemaking provisions of the Wyoming Administrative Procedures Act.

Dated this twenty seventh day of February, 1995

  
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for the Environmental Quality Council