

Wyoming Department of Environmental Quality
Solid and Hazardous Waste Division
Hazardous Waste Management

Chapter 14 - Standards for Universal Waste

2007 Rule Revision Explanation

Introduction:

The proposed revisions in this Chapter are being initiated by changes to federal rules that have been promulgated by the Environmental Protection Agency (EPA) through the Federal Register Notices list below. Revisions being proposed in this package are comparable to the federal Resource Conservation and Recovery Act (RCRA) regulations. Other revisions are proposed to correct editorial errors.

The authority to revise the rules contained within Chapter 14 is provided by W.S. 35-11-503(d)(i).

Applicable Federal Register Notices:

These proposed rules incorporate the final adopted EPA rule changes addressed in the following Federal Register (FR) notices:

- 1) April 12, 1996, in 61 FR 16290, *Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision*;
- 2) February 12, 1997, in 62 FR 6622, *Military Munitions Rule: Hazardous Waste Identification and Management, Explosives Emergencies, Manifest Exemption for Transport of Hazardous Waste on Right-of-ways on Contiguous Properties* (hereafter referred to as Military munitions rule);
- 3) July 6, 1999, in 64 FR 36466, *Hazardous Waste Management System, Modification of the Hazardous Waste Program, Hazardous Waste Lamps* (hereafter known as Universal lamps);
- 4) May 16, 2001, in 66 FR 27218, *Storage, Treatment, Transportation and Disposal of Mixed Wastes*;
- 5) May 16, 2001, in 66 FR 27266, *Hazardous Waste Identification Rule (HWIR), Revision to the Mixture and Derived-from Rules* (hereafter known as Mixture and derived from rule revisions);

EXPLANATION FOR PROPOSED REVISIONS

Editing guides pertaining to proposed changes:

Underline means language proposed to be added.

~~Strikethrough~~ means language proposed for removal

Universal editing guides pertaining to the attached rules:

Text in the margins indicates the federal citation for the rule.

Boldface type indicates that the state has added language for which there is no federal equivalent language.

A caret symbol (^) indicates that federal language has not been adopted.

The numbers in the left margin (which follow) coincide with the page numbers on the attached pages from Chapter 14.

Changes Proposed to Section 1. GENERAL.

14-1

Section 1(a)(i)(B), (C) and (D) are proposed for revision to make changes which coincide with changes made to the counterpart federal rules as part of 64 FR 36466 (July 6, 1999 - Universal Lamps).

14-1 & 3

Section 1(a)(ii) and Section 1(c)(ii)(B) are proposed for revision to include references to Chapter 12, Sections 19 and 20. These are two new sections (Military Munitions and Conditional Exemptions for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal Terms, respectively) being proposed for inclusion within Chapter 12 in accordance with new federal rules adopted as part of 62 FR 6622, (February 12, 1997 - Military munitions rule) and 66 FR 27218 (May 16, 2001- Storage, treatment, transportation and disposal of mixed wastes).

14-4 & 5

Section 1(e)(i), (ii) and (iii) are proposed for revision to add language added to the counterpart federal rules and delete language removed from the counterpart federal rules as part of 64 FR 36466 (July 6, 1999 - Universal Lamps).

14-5 & 6

Section 1(f) and (g) are proposed for revision to correct the Federal citations which appeared in the left hand margin. Section (g) is also proposed for revision to add a reference to the definition for lamp and insert "of these rules and regulations" and the word "and" to correct grammatical errors.

14-7 & 9

Section 2(d)(i)(C)(I) and(d)(iii)(C)(II) are proposed for revision to include references to Chapter 12, Sections 19 and 20. These are two new sections (Military Munitions and Conditional Exemptions for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal Terms, respectively) being proposed for inclusion within Chapter 12 in accordance with new federal rules adopted as part of 62 FR 6622, (February 12, 1997 - Military

munitions rule) and 66 FR 27218 (May 16, 2001- Storage, treatment, transportation and disposal of mixed wastes).

14-7

Section 2(d)(ii)(B) is proposed for revision to correctly cross-reference to Section 2(d)(ii)(A) within Chapter 14.

14-9

Section 2(d)(iii)(C)(I)(2.) is proposed for revision to remove the word "solid" and insert the word "material" to ensure that the wording is consistent with wording used throughout these rules.

14-9,
10 & 11

Section 2(d)(iv) and (e)(v) are proposed for revision in accordance with counterpart language being adopted as part of 64 FR 36466 (July 6, 1999 - Universal Lamps).

14-12

Section 2(h)(ii) is proposed for revision to include references to Chapter 12, Sections 19 and 20. These are two new sections (Military Munitions and Conditional Exemptions for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal Terms, respectively) being proposed for inclusion within Chapter 12 in accordance with new federal rules adopted as part of 62 FR 6622, (February 12, 1997 - Military munitions rule) and 66 FR 27218 (May 16, 2001- Storage, treatment, transportation and disposal of mixed wastes).

14-13
& 14

Section 2(k) is proposed for revision to remove the reference to Chapter 8, Sections 5 and 8, and revise the rule to coincide with changes made to the rule as part of 61 FR 16289 (April 12, 1996).

14-14
& 15

Section 3(c)(i)(A) and 3(c)(ii)(D) and (E) are proposed for revision in accordance with counterpart language being adopted as part of 64 FR 36466 (July 6, 1999 - Universal Lamps). Also, Section 3(c)(ii)(D) and (E) are being revised to correct the federal citations in the left hand margin.

14-16
& 18

Section 3(d)(i)(C)(I) and (d)(iii)(C)(II) are proposed for revision to include references to Chapter 12, Sections 19 and 20. These are two new sections (Military Munitions and Conditional Exemptions for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal Terms, respectively) being proposed for inclusion within Chapter 12 in accordance with new federal rules adopted as part of 62 FR 6622, (February 12, 1997 - Military munitions rule) and 66 FR 27218 (May 16, 2001- Storage, treatment, transportation and disposal of mixed wastes).

14-17

Section 3(d)(iii)(C)(I) is proposed for revision to correct the federal citation in the left hand margin, delete the federal citation in the third line and add the appropriate state citation.

14-18

Section 3(d)(iii)(C)(III) is proposed for revision to correct errors which were inadvertently made during the previous (1998) rulemaking.

14-18
& 19

Section 3(d)(iv) is proposed for revision in accordance with counterpart federal language being adopted as part of 64 FR 36466 (July 6, 1999 - Universal Lamps).

14-19

Section 3(e)(i) is proposed for revision to correct a grammatical error.

14-20

Section 3(e)(v) is proposed for revision in accordance with counterpart federal language being adopted as part of 64 FR 36466 (July 6, 1999 - Universal Lamps).

14-21

Section 3(h)(ii) is proposed for revision to include references to Chapter 12, Sections 19 and 20. These are two new sections (Military Munitions and Conditional Exemptions for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal Terms, respectively) being proposed for inclusion within Chapter 12 in accordance with new federal rules adopted as part of 62 FR 6622, (February 12, 1997 - Military munitions rule) and 66 FR 27218 (May 16, 2001- Storage, treatment, transportation and disposal of mixed wastes).

14-22

Section 3(i)(vii) is proposed for revision to delete the parenthetical phrase "[appropriate regional EPA office]" which was inadvertently adopted as part of the previous (1998) rulemaking.

14-23

Section 3(k) is proposed for revision to remove the reference to Chapter 8, Sections 5 and 8, and revise the rule to coincide with changes made to the rule as part of 61 FR 16289 (April 12, 1996).

14-25

Section 4(e)(ii) and 5(a)(i) are proposed for revision to include references to Chapter 12, Sections 19 and 20. These are two new sections (Military Munitions and Conditional Exemptions for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal Terms, respectively) being proposed for inclusion within Chapter 12 in accordance with new federal rules adopted as part of 62 FR 6622, (February 12, 1997 - Military munitions rule) and 66 FR 27218 (May 16, 2001- Storage, treatment, transportation and disposal of mixed wastes).

14-25

Section 4(g) is proposed for revision to remove the reference to Chapter 8, Sections 5 and 8, and revise the rule to coincide with changes made to the rule as part of 61 FR 16289 (April 12, 1996).

14-26

Section 5(b)(iii) is proposed for revision to correct a grammatical error.

14-27

Section 6(a)(iv) is proposed for revision to remove the reference to Chapter 8, Sections 5 and 8, and revise the rule to coincide with changes made to the rule as part of 61 FR 16289 (April 12, 1996).