

Environmental Protection Agency

§ 272.1150

State provision	Effective date of authorized provision	Unauthorized state amendments	
		State reference	Effective date
LAC § 3105.A	November 21, 1988	LR 18:1256 LR 18:1375 LR 20:1000	November 20, 1992. December 20, 1992. September 20, 1994.
LAC § 3309 (previously LHWR § 18.5)	July 20, 1984	LR 16:614	July 20, 1990.
LAC § 3707.F.1 (previously LHWR 20.4(f)(1))	August 20, 1987	LR 18:723	July 20, 1992.
LAC § 3707.F.2 (previously LHWR 20.4(f)(2))	August 20, 1987	LR 18:723	July 20, 1992.
LAC § 3711.F.1	November 21, 1988	LR 18:723	July 20, 1992.
LAC § 3711.F.2	November 21, 1988	LR 18:723	July 20, 1992.
LAC § 3711.G (previously LHWR 20.4(g))	March 20, 1984	LR 18:723	July 20, 1992.
LAC § 3715.F.1 (previously LHWR § 20.8(f)(1))	March 20, 1984	LR 18:723	July 20, 1992.
LAC § 4141	March 20, 1992	LR 18:1375	December 20, 1992.
LAC § 4307 (previously LHWR § 23.4)	March 20, 1984	LR 21:944	September 20, 1995.
LAC § 4397.B	August 20, 1987	LR 21:266	March 20, 1995.
LAC § 4403.E.1	March 20, 1990	LR 18:723	July 20, 1992.
LAC § 4403.E.2	November 21, 1988	LR 18:723	July 20, 1992.
LAC § 4403.F (previously LHWR § 23.52(f))	March 20, 1984	LR 18:723	July 20, 1992.
LAC § 4407.A.12 (previously LHWR § 23.54(a)(12))	March 20, 1984	LR 13:433 LR 18:723	August 20, 1987. July 20, 1992.
LAC § 4407.E.1&2	August 20, 1987	LR 18:723	July 20, 1992.
LAC § 4407.F (previously LHWR § 23.54(f))	March 20, 1984	LR 18:723	July 20, 1992.
LAC § 4503.B introductory paragraph (previously LHWR § 23.102(b)).	March 20, 1984	LR 16:1057	December 20, 1990.
LAC § 4513.A	March 20, 1990	LR 18:1375 LR 20:1000	December 20, 1992. September 20, 1994.
LAC § 4901.D.3	September 20, 1994	LR 21:266	March 20, 1995.

(5) Memorandum of Agreement. The Memorandum of Agreement between EPA Region 6 and the Louisiana Department of Environmental Quality—Hazardous Waste Division, signed by the EPA Regional Administrator on December 18, 1995, is referenced as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(6) Statement of Legal Authority. “Attorney General’s Statement for Final Authorization”, signed by the Attorney General of Louisiana on May 10, 1989 and revisions, supplements and addenda to that Statement dated May 13, 1991, May 3, 1994, December 2, 1994, May 31, 1995, July 24, 1995, and November 30, 1995, are referenced as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(7) Program Description. The Program Description and any other materials submitted as part of the original application or as supplements thereto are referenced as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

[62 FR 67583, Dec. 29, 1997]

§§ 272.952–272.999 [Reserved]

Subpart U—Maine

§§ 272.1000–272.1049 [Reserved]

Subpart V—Maryland

§§ 272.1050–272.1099 [Reserved]

Subpart W—Massachusetts

§§ 272.1100–272.1149 [Reserved]

Subpart X—Michigan

§ 272.1150 State authorization.

(a) The State of Michigan is authorized to administer and enforce a hazardous waste management program in lieu of the Federal program under subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C. 6921 *et seq.* subject to the Hazardous and Solid Waste Amendments of 1984 (HSWA) (Public Law 98-616, November 8, 1984), 42 U.S.C. 6926 (c) and (g). The Federal program for which a State may receive authorization is defined in 40 CFR part 271. The State’s program, as administered by the Michigan Department of Natural Resources, was approved by EPA pursuant to 42

U.S.C. 6926(b) and part 271 of this chapter. EPA's approval of Michigan's base program was effective on October 30, 1986 (see 51 FR 36804). EPA's approval of the revisions to Michigan's base program was effective on January 23, 1990 (see 54 FR 48608) and RCRA Cluster III authorization effective June 24, 1991 (see 56 FR 18517).

(b) Michigan is authorized to implement certain HSWA requirements in lieu of EPA. EPA has explicitly indicated its intent to allow such action in a FEDERAL REGISTER notice granting Michigan authorization and RCRA Cluster III authorization effective June 24, 1991 (see 56 FR 18517).

(c) Michigan has primary responsibility for enforcing its hazardous waste program. However, EPA retains the authority to exercise its enforcement authorities under sections 3007, 3008, 3013, and 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, and 6973, as well as under other Federal laws and regulations.

(d) Michigan must revise its approved program to adopt new changes to the Federal Subtitle C program in accordance with section 3006(b) of RCRA and 40 CFR part 271, subpart A. Michigan must seek final authorization for all program revisions, pursuant to section 3006(b) of RCRA but, on a temporary basis, may seek interim authorization for revisions required by HSWA, pursuant to section 3006(g) of RCRA, 42 U.S.C. 6926(g). If Michigan obtains final authorization for the revised requirements pursuant to section 3006(g), the newly authorized provisions will be listed in §272.1151 of this subpart. If Michigan obtains interim authorization for the revised requirements pursuant to section 3006(g), the newly authorized provisions will be listed in §272.1152.

[54 FR 7421, Feb. 21, 1989, as amended at 55 FR 18112, May 1, 1990; 57 FR 3724, Jan. 31, 1992]

§272.1151 State-administered program: Final authorization.

Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Michigan has final authorization for the following elements submitted to EPA in Michigan's base program and program revision applications for final authorization and approved by EPA effective on October 30,

1986 (see 51 FR 36804), January 23, 1990 (see 54 FR 46808), and RCRA Cluster III authorization effective June 24, 1991 (see 56 FR 18517).

(a) State Statutes and Regulations. (1) The requirements in the Michigan statutes and regulations cited in this paragraph are incorporated by reference and codified as part of the hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.* This incorporation, by reference, was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a).

(i) Michigan Compiled Laws Annotated, §§299.501-506, 299.521-522, 299.532-535, 299.537, and 299.539-541 (P.A. 64 of 1979 as amended by P.A. 486 of 1982, effective March 30, 1983). Copies of the State laws incorporated by reference in this paragraph are available from West Publishing Co., 50 West Kellogg Boulevard, P.O. Box 64526, St. Paul, Minnesota 55164-0526.

(ii) Michigan Administrative Code, Rules 299.9101-9206(3)(g), 299.9206(4)-9208(1), 299.9208(3)-9209(1), 9209(4)-(9209(6)), 299.9210(2)-9211(1)(a), 299.9211(1)(c)-9212(4), 299.9212(6)-9212(7), 299.9212(8)(b)-9213(1)(a), 299.9213(1)(c), 299.9213(2)-9214(6)(b), 299.9215-9217, 299.9220, 299.9222, 299.9224-9225, 299.9301-9304(1)(b), 299.9304(1)(d)-299.9401(5), 299.9402, 299.9404(1) introductory text, 299.9404(1)(b)-9405, 299.9407-9408(1), 299.9409-9410, 299.9501-9504(1) introductory text, 299.9504(1)(b)-9506, 299.9508-9508(1)(g), 299.9508(1)(i)-9521(1)(b), 299.9521(2)-9522, 299.9601-9611(2)(a), 299.9611(3)-9623(1)(b), 299.9623(3)-9710, 299.9801-9804, 299.11001-11008 (1985 Annual Michigan Administrative Code Supplement, as supplemented by the April 1988 Michigan Register, pages 3-107, and the January 1989 Michigan Register, pages 1-27). Copies of the Michigan regulations that are incorporated by reference in this paragraph are available from the Department of Management and Budget's Publication Office, 7461 Crowner Drive, Lansing, Michigan 48913, Phone: (517) 322-1897. Copies may be inspected at: U.S. EPA Headquarters Library, PM 211A, 401 M St., SW., Washington, DC 20460. Phone: (202) 382-5926; U.S. EPA, Region V, Waste, Pesticides and Toxics Division, Program Management Branch, 7th