

Environmental Protection Agency

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44(C)(4)(k); 50-44(C)(5) through 50-44(C)(5)(i); 50-44(C)(6) through 50-44(C)(7)(j); 50-44(C)(8) through 51-03(C)(2)(b)(ii); 51-03 (D) and (E); 51-04 through 51-05; 51-06(A)(1) through 51-06(A)(3)(g); 51-06(B) through 52-20(F); 52-20 Appendix I through 52-34(F); 52-40 through 52-44; 52-50 through 53-10; 53-11(D) through 53-20(H); 53-21 through 54-99; 55-02 through 55-99; 56-20 through 56-31; 56-33 (A) and (B); 56-50 through 56-60; 56-70 through 56-83; 57-01 through 57-14(B); 57-14(E); 57-15 through 57-18; 57-40 through 58-40; 58-42; 58-43 through 58-44; 58-45(A) through 58-45(E); 58-45(G); 58-46; 58-50 through 58-54; 58-60 through 65-01(C); 65-01(E); 65-10 through 68-14(C); 68-14(F); 68-15 through 68-52; 68-70 through 68-83; 68-011(A) through 68-011(E); 69-01 through 69-30 (OAC June 30, 1990, as supplemented by 1990-1991 Ohio Monthly Record, pages 70-80 (July 1990)). Copies of the Ohio regulations that are incorporated by reference in this paragraph are available from Banks-Baldwin Law Publishing Company, P.O. Box 1974, University Center, Cleveland, Ohio 44106-8697. Customer Service Department.

(2) The following statutory provisions and regulations concerning State enforcement, although not codified herein for enforcement purposes, are part of the authorized State program:

(i) Ohio Revised Code, title 1, chapter 119, sections: 01 through 06.1, and 07 through 13; Ohio Revised Code, title 1, chapter 149, sections 011, 43, and 44 (Banks-Baldwin, 1990); Ohio Revised Code, title 37, chapter 3734, sections: 01 through 05, 07, 09 through 14.1, 16 through 17, 20 through 22, and 31 through 99 (Banks-Baldwin, 1990).

(ii) Ohio Administrative Code, volume 4, chapter 3745, rules: 49-031, 50-21 through 50-30, and 51-03(F) (OAC June 30, 1990, as supplemented by 1990-1991 Ohio Monthly Record, pages 70-80 (July, 1990)).

(3) The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the authorized program, and are not codified for enforcement purposes.

(i) Ohio Revised Code, Title 37, Chapter 3734, Sections: 06, 08, 18 through 19, and 23 through 30 (Page, 1987).

(ii) Ohio Administrative Code, Volume 4, Chapter 3745, Rules: 50-33 through 50-37, and 53-11(A) through 53-11(C) (OAC June 30, 1988).

(b) Memorandum of Agreement. The Memorandum of Agreement between EPA Region V and the Ohio Environmental Protection Agency signed by the EPA Regional Administrator on March 6, 1989, is codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(c) *Statement of Legal Authority.* (1) "Attorney General's Statement for Final Authorization," signed by the Attorney General of Ohio on July 1, 1985, and supplements to that Statement dated June 13, 1990, and October 15, 1990, are codified as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(2) Supplemental "Attorney General's Statements for Final Authorization," and addenda to such Statements signed by the Attorney General of Ohio on December 30, 1988, and February 24, 1989, are codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(d) *Program Description.* The Program Description and any other materials submitted as part of the original application or as supplements thereto dated November 8, 1990, and December 11, 1990, are codified as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

[54 FR 27173, June 28, 1989, as amended at 57 FR 4162, Feb. 4, 1992]

§§ 272.1802-272.1849 [Reserved]

Subpart LL—Oklahoma

§ 272.1850 [Reserved]

§ 272.1851 **Oklahoma State-administered program: Final authorization.**

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), the EPA granted Oklahoma final authorization for Base program effective on January 10, 1985. Subsequent program revision applications were approved effective on June 18, 1990, November 27, 1990, June 3,

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1991, November 19, 1991, November 29, 1993, December 21, 1994, April 27, 1995, March 14, 1997, July 14, 1998, and November 23, 1998.

(b) State Statutes and Regulations.

(1) The Oklahoma statutes and regulations cited in this paragraph are incorporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(i) The EPA Approved Oklahoma Statutory Requirements Applicable to the Hazardous Waste Management Program, November 1998.

(ii) The EPA Approved Oklahoma Regulatory Requirements Applicable to the Hazardous Waste Management Program, November 1998.

(2) The following statutes and regulations concerning State procedures and enforcement, although not incorporated by reference, are part of the authorized State program:

(i) Oklahoma Hazardous Waste Management Act, as amended, 27A Oklahoma Statute (O.S.) 1997 Edition, effective August 30, 1996, sections 2-2-104, 2-7-102, 2-7-104, 2-7-105 (except 2-7-105(27), 2-7-105(29) and 2-7-105(34)), 2-7-106, 2-7-107, 2-7-108(B)(2), 2-7-110(A), 2-7-113.1, 2-7-115, 2-7-116(A), 2-7-116(G), 2-7-116(H)(1), 2-7-123, 2-7-126, 2-7-129, 2-7-130, 2-7-131 and 2-7-133.

(ii) The Oklahoma Administrative Code, Title 252, Chapter 200, 1996 Edition, effective July 1, 1996: subchapter 1, section 252:200-1-1(b); subchapter 11, section 252:200-11-2; and subchapter 13, sections 252:200-13-1 and 252:200-13-3.

(iii) The Oklahoma Administrative Code, Title 252, Chapter 200, 1997 Supplement, effective June 2, 1997: subchapter 3, sections 252:200-3-2(1), 252:200-3-4(b)(1)-(3) and 252:200-3-4(b)(16).

(3) The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the authorized program, and are not incorporated by reference:

(i) Oklahoma Hazardous Waste Management Act, as amended, 27A Oklahoma Statute (O.S.) 1997 Edition, effective August 30, 1996, sections 2-7-119 and 2-7-121.

(ii) The Oklahoma Administrative Code Title 252, Chapter 200, 1996 Edition, effective July 1, 1996: subchapter 8.

(iii) The Oklahoma Administrative Code, Title 252, Chapter 200, 1997 Supplement, effective June 2, 1997: subchapter 13, section 252:200-13-4; subchapter 17; and 252:200 appendices B and C.

(4) *Unauthorized State Provisions:* The State's adoption of the Federal rules listed below, while incorporated by reference at § 272.1851(b)(1), is not approved by EPA and are, therefore, not enforceable:

Federal requirement	Federal Register reference	Publication date
Delisting	50 FR 28702: Amendments to 260.22(a) through 260.22(e).	07/15/85
Toxicity Characteristics; Hydrocarbon Recovery Operations	55 FR 40834, 56 FR 3978, 56 FR 13406.	10/05/90, 02/01/91, 04/02/91
Toxicity Characteristics; Chlorofluorocarbon Refrigerants	56 FR 5910	02/13/91
Administrative Stay for K069 Listing	56 FR 19951	05/01/91
Amendments to Interim Status Standards for Downgradient Groundwater Monitoring Well Locations.	56 FR 66365	12/23/91
Administrative Stay for the Requirement that Existing Drip Pads Be Impermeable.	57 FR 5859	02/18/92
Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers (Rules 154.1 and 154.2).	59 FR 62896, 60 FR 26828	12/06/94, 05/19/95
Removal of Legally Obsolete Rules	60 FR 33912	06/29/95

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region VI and the State of Oklahoma, signed by the EPA Regional Administrator on August 4, 1998, 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 Oklahoma on January 20,

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1984 and revisions, supplements and addenda to that Statement dated January 14, 1988 (as amended July 20, 1989); December 22, 1988 (as amended June 7, 1989 and August 13, 1990); November 20, 1989; November 16, 1990; November 6, 1992; June 24, 1994; December 8, 1994; March 4, 1996; and April 15, 1997, 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.*

[64 FR 46570, Aug. 26, 1999]

§§ 272.1852–272.1899 [Reserved]

Subpart MM—Oregon

§§ 272.1900–272.1949 [Reserved]

Subpart NN—Pennsylvania

§§ 272.1950–272.1999 [Reserved]

Subpart OO—Rhode Island

§§ 272.2000–272.2049 [Reserved]

Subpart PP—South Carolina

§§ 272.2050–272.2099 [Reserved]

Subpart QQ—South Dakota

§§ 272.2100–272.2149 [Reserved]

Subpart RR—Tennessee

§§ 272.2150–272.2199 [Reserved]

Subpart SS—Texas

§ 272.2200 [Reserved]

§ 272.2201 **Texas State-administered program: Final authorization.**

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), the EPA granted Texas final authorization for Base program effective on December 26, 1984. Subsequent program revision applica-

tions were approved effective on October 4, 1985, February 17, 1987, March 15, 1990, July 23, 1990, October 21, 1991, December 4, 1992, June 27, 1994, November 26, 1997, December 3, 1997, and November 15, 1999.

(b) State statutes and regulations.

(1) The Texas statutes and regulations cited in this paragraph are incorporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(i) The EPA Approved Texas Statutory Requirements Applicable to the Hazardous Waste Management Program, December 1997.

(ii) The EPA Approved Texas Regulatory Requirements Applicable to the Hazardous Waste Management Program, December 1997.

(2) The following statutes and regulations concerning State procedures and enforcement, although not incorporated by reference, are part of the authorized State program:

(i) Texas Health and Safety Code (THSC) Annotated, (Vernon, 1992), effective September 1, 1991: Chapter 361, The Texas Solid Waste Disposal Act, sections 361.002, 361.017 (except 361.017(d)&(e)), 361.024(b)-(d), 361.033, 361.036, 361.037(a), 361.063(b), 361.063(e)-(g), 361.063(i), 361.063(k)&(l), 361.066(b), 361.078, 361.080(a), 361.082(b), 361.082(c) (except second sentence), 361.082(e), 361.084(c) (except the phrase “, or evidence of * * * waste management”), 361.085(a)-(d), 361.088(b), 361.089(g), 361.090, 361.095(b)-(f), 361.096, 361.097, 361.098(a) (except the phrase “Except as provided in subsections (b) and (c),”), 361.099(a), 361.100, 361.101, 361.103 through 361.108, 361.109(a), 361.221 (except 361.221(c)&(e)), 361.222 (except 361.222(d)-(u)), 361.223(c), 361.227, 361.301, 361.303, 361.321(b), 361.321(c) (except the phrase “Except as provided by section 361.322(a)”), and 361.321(d); Chapter 371, Texas Oil Collection, Management, and Recycling Act, sections 371.043(a)&(b), 371.044(b) and 371.045.

(ii) Texas Health and Safety Code (THSC) Annotated, (Vernon, 1997 Supplement), effective September 1, 1996: Chapter 361, The Texas Solid Waste Disposal Act, sections 361.016, 361.017(d)&(e), 361.018, 361.024(a), 361.024(e), 361.032, 361.061, 361.063(a),