

Environmental Protection Agency

§ 272.700

1, Chapter 5, "Rules and Standards for Hazardous Waste", as published on July 1, 1997: sections 16.01.05.000; 16.01.05.356.02 through 16.01.05.356.05; 16.01.05.800; 16.01.05.850; 16.01.05.996; 16.01.05.997; and 16.01.05.999.

(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) Idaho Code containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 44, "Hazardous Waste Management", published in 1993 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39-4428 and 39-4429.

(ii) 1996 Cumulative Pocket Supplement to the Idaho Code, Volume 7A, Title 39, Chapter 44, "Hazardous Waste Management", published in 1994 by the Michie Company, Law Publishers, Charlottesville, Virginia: sections 39-4403 (6)&(14) and 39-4427.

(iii) Idaho Code containing the General Laws of Idaho Annotated, Volume 7A, Title 39, Chapter 58, "Hazardous Waste Siting Act", published in 1993 by the Michie Company, Law Publishers, Charlottesville, Virginia: section 39-5813(3).

(iv) Idaho Department of Health and Welfare Rules and Regulations, Idaho Administrative Code, IDAPA 16, Title 1, Chapter 5, "Rules and Standards for Hazardous Waste", as published on July 1, 1997: sections 16.01.05.355; and 16.01.05.500.

(4) *Memorandum of Agreement*. The Memorandum of Agreement between EPA Region 10 and the Division of Environmental Quality, signed by the EPA Regional Administrator on October 6, 1998, is referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(5) *Statement of legal authority*. "Attorney General's Statement for Final Authorization", signed by the Attorney General of Idaho on July 5, 1988 and revisions, supplements and addenda to that Statement dated July 3, 1989, February 13, 1992, December 29, 1994, September 16, 1996, and October 3, 1997 are referenced as part of the authorized hazardous waste management program

under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(6) *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 34136, June 25, 1999]

§§ 272.652-272.699 [Reserved]

Subpart O—Illinois

§ 272.700 State authorization.

(a) The State of Illinois 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 base program and revisions to that program, as administered by the Illinois Environmental Protection Agency, were approved by EPA pursuant to 42 U.S.C. 6926(b) and 40 CFR part 271. EPA's approval of Illinois' base program was effective on January 31, 1986. EPA's approval of revisions to Illinois' base program were effective on March 5, 1988, April 30, 1990 and June 3, 1991.

(b) Illinois is authorized to implement only those HSWA requirements addressed in 40 CFR 272.701 and codified herein.

(c) Illinois 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) Illinois 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. Illinois must seek final authorization for all program revisions pursuant to Section

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30069b) 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 Illinois obtains final authorization for the revised requirements pursuant to Section 3006(g), the newly authorized provisions will be listed in § 272.701 of this subpart. If Illinois obtains interim authorization for the revised requirements pursuant to Section 3006(g), the newly authorized provisions will be listed in § 272.702.

[54 FR 37651, Sept. 12, 1989, as amended at 57 FR 3723, Jan. 31, 1992; 57 FR 45576, Oct. 2, 1992]

§ 272.701 State-administered program: Final authorization.

Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Illinois has final authorization for the following elements submitted to EPA in Illinois; base program and program revision applications for final authorization and approved by EPA effective on January 31, 1986, March 5, 1988, April 30, 1990 and June 3, 1991.

(a) *State Statutes and Regulations.*

(1) The following Illinois regulations and statutes are incorporated by reference with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as part of the hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(i) Illinois Administrative Code, Title 35, Part 702, Sections 702.101-702.104, 702.110-702.187; Part 703, Sections 703.100-703.126, 703.140-703.246; Part 709, Sections 709.102-709.105, 709.201, 709.301, 709.302, 709.401, 709.501-709.603; Part 720, Sections 720.101-720.122, Part 720 Appendix A; Part 721, Sections 721.101-721.133, Part 721 Appendices A, B, C, G, H, I, J, Z; Part 722, Sections 722.110-722.151, Part 722 Appendix A; Part 723, Sections 723.110-723.131; Part 724, Sections 724.101-724.321, 724.326-724.351, 724.354-724.451, Part 724 Appendices A, D, E; Part 725, Sections 725.101-725.248, 725.270-725.530, Part 725 Appendices, A, C, D, E; Part 726, Sections 726.120-726.180; Part 728; and Part 729, Sections 729.100-729.321; (Illinois Administrative Code, January 1, 1985, as amended January 1, 1986, January 1, 1987, and January 1, 1988).

Copies of the Illinois regulations that are incorporated by reference in this paragraph are available from the Secretary of State, Administrative Code Division, 288 Centennial Building, Springfield, Illinois 62756. Copies may be inspected at U.S. EPA headquarters, 1200 Pennsylvania Ave., NW., Washington, DC, or at the Office of Federal Register, 800 North Capital Street, NW., suite 700, Washington, DC.

(ii) [Reserved]

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

(i) Illinois Revised Statutes, chapter 111½, sections 1001 through 1003.52; sections 1003.54 through 1005.1; sections 1007 through 1007.1; section 1020(c); sections 1020.1 through 1022.3; sections 1022.5 through 1022.6; sections 1030 through 1034; and section 1039 parts a, d, g, k.

(ii) Illinois Administrative Code, Title 35 Part 700, Sections 700.101-700.504; Part 702 Sections 702.105-702.109; Part 705, Section 705.101-705.212; Part 720, Sections 720.140-720.141; and Title 2, Part 1826, Sections 1826.101-1826.503, Section 1826 Appendices A and B. (Illinois Administrative Code, January 1, 1985, as amended January 1, 1986, January 1, 1987, and January 1, 1988).

(b) *Memorandum of Agreement.* The Memorandum of Agreement between EPA-Region V and the Illinois Environmental Protection Agency, signed by the EPA Regional Administrator on January 26, 1990, is 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.* The Illinois Attorney General's Statements for final authorization signed by the Attorney General of Illinois on June 4, 1985, July 15, 1986, May 26, 1988, and February 23, 1990 are part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(d) *Program Description.* Program Descriptions dated July 26, 1985, August 7, 1986, November 29, 1988, and May 18, 1990, and any other materials submitted as part of, or as supplements to,