

Environmental Protection Agency

§ 272.1601

revised requirements pursuant to section 3006(g), the newly authorized provisions will be listed in § 272.1352.

§ 272.1351 State-administered program: Final authorization.

Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Montana has final authorization for the following elements, as submitted to EPA in Montana's program application and any subsequently approved revisions thereto.

(a) *State Statutes and Regulations.* (1) The requirements in the Montana statutes and regulations cited in this paragraph are incorporated by reference and made a 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 Office of the Federal Register effective January 31, 1986.

(i) Montana Hazardous Waste Act, Montana Code Annotated, sections 75-10-401 through 75-10-413 and 75-10-419 through 75-10-421 (1983).

(ii) Administrative Rules of Montana, Health and Environmental Sciences, sections 16.44.101 through 16.44.911 (1983) and amendments to sections 16.44.104, 16.44.106, 16.44.108, 16.44.109, 16.44.202, 16.44.811, 16.44.817, and 16.44.819 adopted on January 16, 1984.

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

(i) Montana Hazardous Waste Act, Montana Code Annotated, sections 75-10-414 through 75-10-418 (1983).

(ii) Montana Public Records Act, Montana Code Annotated, sections 2-6-101 through 2-6-307 (1983).

(iii) Montana Administrative Procedures Act, Montana Code Annotated, sections 2-4-101 through 2-4-705 (1983).

(b) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region VIII and the Montana Department of Health and Environmental Services, signed by the EPA Regional Administrator on June 16, 1984.

(c) *Statement of Legal Authority.* Letter from the Attorney General of Montana to EPA, June 7, 1984, with attached Statement of Independent Legal Counsel, dated June 1, 1984.

(d) *Program Description.* The Program Description and any other materials submitted as part of the original application or as supplements thereto.

§§ 272.1352-272.1399 [Reserved]

Subpart CC—Nebraska

§§ 272.1400-272.1449 [Reserved]

Subpart DD—Nevada

§§ 272.1450-272.1499 [Reserved]

Subpart EE—New Hampshire

§§ 272.1500-272.1549 [Reserved]

Subpart FF—New Jersey

§§ 272.1550-272.1599 [Reserved]

Subpart GG—New Mexico

§ 272.1600 [Reserved]

§ 272.1601 New Mexico State-administered Program: Final authorization.

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), New Mexico has final authorization for the following elements as submitted to EPA in New Mexico's base program application for final authorization which was approved by EPA effective on January 25, 1985. Subsequent program revision applications were approved effective on April 10, 1990, July 25, 1990, December 4, 1992, August 23, 1994, December 21, 1994, July 10, 1995, January 2, 1996, March 10, 1997, and October 9, 2001.

(b) *State Statutes and Regulations.*

(1) The New Mexico regulations cited in paragraph (b)(1)(i) of this section are incorporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.* (See § 272.2).

(i) The Binder entitled "EPA Approved New Mexico Statutory and Regulatory Requirements Applicable to the Hazardous Waste Management Program", dated October 2001.

(ii) [Reserved]

(2) The following provisions provide the legal basis for the State's implementation of the hazardous waste management program, but they are not