

Environmental Protection Agency

§ 272.951

Closing Facilities (October 22, 1998) 40 CFR 264.90(e), 265.110(c), 265.118(c)(4), 265.121 (except § 265.121(a)(2)), 270.1, 270.14(a), and 270.28 are non-HSWA provisions. Hazardous Remediation Waste Management Requirements (HWIR Media) (November 30, 1998) 40 CFR 261.4(g), 264.1(j)(1-13), 264.73(b)(17), 270.2, 270.11(d), 270.68, 270.73(a), and 270.79 through 270.230 (40 CFR part 270, subpart H) except § 270.230(e)(1) are non-HSWA provisions. Until Indiana becomes authorized for these rules, EPA will not enforce the non-HSWA provisions.

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 5 and the Indiana Department of Environmental Management, signed by the Commissioner of the IDEM on February 14, 1996 and acknowledged by the EPA Regional Administrator in the FEDERAL REGISTER noticed signed on July 29, 1996, August 2, 1999, and December 14, 2000, 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 Indiana on June 28, 1985 and revisions, supplements and addenda to that Statement dated August 26, 1986, June 1, 1987, December 15, 1987, March 25, 1988, July 22, 1988, December 15, 1989, May 29, 1996, March 24, 1997, and January 31, 2000 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.*

[66 FR 53728, Oct. 24, 2001]

§§ 272.752–272.799 [Reserved]

Subpart Q—Iowa

§§ 272.800–272.849 [Reserved]

Subpart R—Kansas

§§ 272.850–272.899 [Reserved]

Subpart S—Kentucky

§§ 272.900–272.949 [Reserved]

Subpart T—Louisiana

§ 272.950 [Reserved]

§ 272.951 Louisiana State-administered program: Final authorization.

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Louisiana has final authorization for the following elements as submitted to EPA in Louisiana's base program application for final authorizations which was approved by EPA effective on February 7, 1985. Subsequent program revision applications were approved effective on January 29, 1990, October 25, 1991, January 23, 1995, March 8, 1995, January 2, 1996, June 11, 1996 and March 16, 1998.

STATE STATUTES AND REGULATIONS

(1) The Louisiana 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) EPA Approved Louisiana Statutory Requirements Applicable to the Hazardous Waste Management Program, dated June, 1997.

(ii) EPA Approved Louisiana Regulatory Requirements Applicable to the Hazardous Waste Management Program, dated June, 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) Louisiana Statutes Annotated, Revised Statutes, 1989, Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act, 1989: Chapter 2, Sections 2011.A(1)&(2), 2011.B, 2011.C

(except 2011.C(1)(a)), 2011.D (introductory paragraph), 2011.D(1)-(3), 2011.D(5)-(9), 2011.D(13)-(15), 2011.D(17)&(18), 2011.D(21) (except 2011.D(21)(e)), 2011.D(22), 2011.E-G, 2012 (except 2012.F(4) and 2012.G), 2013, 2014.A, 2019.A&B, 2020 through 2021, 2023, 2024.B-C, 2025.A-D, 2025.E(2)-(5), 2025.F (introductory paragraph), 2025.F(1)-(4), 2025.G-I, 2026, 2027.C, 2028, 2029, 2033, 2037; Chapter 3, Sections 2054.B(1), 2054.B(2)(a); Chapter 9, sections 2174, 2175, 2180.A (introductory paragraph), 2180.A(2)-(8), 2180.B-C, 2181-2182, 2183.C, 2183.F, 2183.G (except 2183.G(3)), 2183.H, 2186, 2187, 2188.A, 2188.C, 2189, 2190.A-D, 2191.A-C, 2192.A, 2192.B (except 2192.B(4)), 2192.C, 2196, 2199 through 2200, 2203.B-C, 2204.A(2), and 2204.B.

(ii) Louisiana Statutes Annotated, Revised Statutes, 1992 Cumulative Annual Pocket Part, Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act: Chapter 2, section 2011.C(1)(a), 2011.D(21)(e), 2012.F(4), 2012.G, 2018, 2019.C, 2022 (except the first sentence of 2022.A), 2024.A&D, 2025.E(1), 2025.J, 2027.A&B; Chapter 9, sections 2180.A(1), 2183.G(3), 2192.B(4).

(iii) Louisiana Administrative Code, Title 33, Part V, Hazardous Waste and Hazardous Materials, Amendments through June 1995: Chapter 1, sections 101, 107.A-C; Chapter 3, Sections 301.A&B, 311.A, 311.C, 315 (introductory paragraph), 323.B.3; Chapter 5, Section 503; Chapter 7, Sections 703, 705 and 707 through 721.

(iv) Louisiana Administrative Code, Title 33, Part V, Hazardous Waste and Hazardous Materials, Amendments for July 1995-March 1996: Chapter 3, Section 323.B.4.d. & e.

(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) Louisiana Statutes Annotated, Revised Statutes, 1989, Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act, 1989: Chapter 2, sections 2014.B-D.

(ii) Louisiana Statutes Annotated, Revised Statutes, 1992 Cumulative Annual Pocket Part, Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act: Sections 2178 and 2197.

(iii) Louisiana Administrative Code, Title 33, Part V, Hazardous Waste and Hazardous Materials, Amendments through June 1995: 327, 1313, and Chapter 51.

(4) Unauthorized State Amendments. The following authorized provisions of the Louisiana regulations include amendments published in the Louisiana Register that are not approved by EPA. Such unauthorized amendments are not part of the State's authorized program and are, therefore, not Federally enforceable. Thus, notwithstanding the language in the Louisiana hazardous waste regulations incorporated by reference at § 272.951(b)(1), EPA will only enforce the authorized State provisions with the effective dates indicated in the table below. The actual State regulatory text authorized by EPA for the listed provisions are available as a separate document, Addendum to the EPA-Approved Louisiana Regulatory and Statutory Requirements Applicable to the Hazardous Waste Management Program, June, 1997. Copies of the document can be obtained from EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, Phone number: (214) 665-8533.

State provision	Effective date of authorized provision	Unauthorized state amendments	
		State reference	Effective date
LAC § 109 "Industrial furnace" introductory paragraph	November 20, 1988	LR 18:1375	December 20, 1992.
LAC § 303.K.1 (previously LHWR § 3.2(k)(1))	July 20, 1984	LR 14:790	November 20, 1988.
LAC § 901 (LHWR § 6.1)	March 20, 1984	LR 20:1000	September 20, 1994.
LAC § 1111.B.1.c (previously LHWR § 7.6(b)(1))	March 20, 1984	LR 16:220	March 20, 1990.
LAC § 1113 (previously LHWR § 7.7)	March 20, 1984	LR 16:220	March 20, 1990.
		LR 20:1000	September 20, 1994.
		LR 20:1109	October 20, 1994.
LAC § 2511.B (previously LHWR § 14.6(b))	March 20, 1984	LR 16:1057	December 20, 1990.
LAC § 3105.A	November 21, 1988	LR 18:1256	November 20, 1992.
		LR 18:1375	December 20, 1992.
		LR 20:1000	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.

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State provision	Effective date of authorized provision	Unauthorized state amendments	
		State reference	Effective date
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	August 20, 1987.
		LR 18:723	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	December 20, 1992.
		LR 20:1000	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