

US EPA ARCHIVE DOCUMENT



M. JANE BRADY
ATTORNEY GENERAL

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

NEW CASTLE COUNTY
Carvel State Building
820 N. French Street
Wilmington, DE 19801
Criminal Division (302) 577-8500
Fax: (302) 577-2496
Civil Division (302) 577-8400
Fax: (302) 577-6630
TTY: (302) 577-5783

KENT COUNTY
102 West Water Street
Dover, DE 19904
Criminal Division (302) 739-4211
Fax: (302) 739-6727
Civil Division (302) 739-7641
Fax: (302) 739-7652
TTY: (302) 739-1545

SUSSEX COUNTY
114 E. Market Street
Georgetown, DE 19947
(302) 856-5352
Fax: (302) 856-5369
TTY: (302) 856-2500

PLEASE REPLY TO :

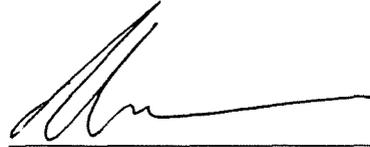
STATE OF DELAWARE

ATTORNEY GENERAL'S STATEMENT
FOR FINAL AUTHORIZATION FOR CHANGES
TO THE FEDERAL HAZARDOUS WASTE PROGRAM

I hereby certify, pursuant to my authority as Deputy Attorney General and in accordance with Section 3006(b) of the Resource Conservation and Recovery Act, as amended by the Hazardous and Solid Waste Amendments of 1984 (42 USC 6901 et seq.), and 40 CFR 271, that in my opinion the laws of the State of Delaware provide adequate authority to carry out the hazardous waste program set forth in the Program Description submitted by Delaware Department of Natural Resources and Environmental Control on January 9, 2002, and supplemented by the State's Authorization Revision 6 Application, and to meet the requirements of 40 CFR, Part 271, Subpart A. The specific authorities provided are contained in statutes or regulations lawfully adopted at the time this Statement is signed and which are in effect now. The statutory authorities for the State of Delaware are documented in the State's RCRA Statutory Checklist, dated June 19, 2003. The statutory checklist was included and approved as part of the State's Revision 5 application. In my opinion, statutes relied on in previously approved authorization applications have not been amended, modified, or revised by statute or judicial decision in a way that diminishes and interferes with the authority to carry out the previously authorized hazardous waste program to meet the requirements of 40 CFR, Part 271, Subpart A.

The provisions for which the State is seeking authorization are documented in the attached RCRA Revision Checklists and State initiated Miscellaneous Changes. Differences between the State's provisions and the Federal provisions are noted on the Miscellaneous Changes. The official State regulations may be found in Delaware Regulations Governing Hazardous Waste, effective July 1, 2002, July 11, 2002, March 21, 2004, and August 21, 2004.

This certification supplements my or my predecessor's certifications of July 26, 1983, March 20, 1996, June 12, 1998, January 21, 2000, January 31, 2002, and November 6, 2003.



Matthew P. Chesser
Deputy Attorney General

July 30, 2004

Attachments

cc: M. Jane Brady, Attorney General

Rev 6 AG Certification
7/8/2004

MPC:dms/I/464-22/04-A-065