

US EPA ARCHIVE DOCUMENT



STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

TELECOPIER No.

WRITER'S DIRECT DIAL No.

MARYLAND PROGRAM REVISION II

ADDENDUM
ATTORNEY GENERAL CERTIFICATION
FOR FINAL AUTHORIZATION FOR CHANGES
TO THE FEDERAL HAZARDOUS WASTE PROGRAM
PROGRAM REVISION II

I hereby certify, pursuant to my authority as 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 Maryland provide adequate authority to carry out the revised hazardous waste program set forth in the Program Description submitted by the Maryland Department of the Environment. 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.

Maryland's program revision addresses selected Federal final rules published between December 6, 1990 and July 10, 2000. However, Maryland is not seeking final authorization for all changes made during that time. For instance, Maryland is not seeking authorization for the land disposal restrictions, used oil standards, boiler and industrial furnace standards, air emission standards, RCRA expanded public participation requirements, military munitions rule, or HSWA corrective action requirements. The State is only requesting authorization for the provisions documented on the attached Revision Checklists (Attachment I). Differences between the Maryland provisions and the Federal provisions are noted on the Revision Checklists. Maryland is also seeking authorization for State-initiated changes that were not made in response to Federal regulatory change. The regulations are codified in the Code of Maryland Regulations (hereinafter "COMAR") effective November 1, 2002. This Attorney General's Certification supplements the previously certified authorities described in the June 4, 1984 and November 12, 2000 certifications.

STATUTORY CERTIFICATION

I hereby certify that the statutes addressed in previous authorization applications submitted to the Environmental Protection Agency have not been amended, modified, or revised. The statutory authorities for Maryland are documented in the State's Attorney General

Statements dated June 4, 1984 and November 12, 2000, as well as Maryland Legislation Checklist and the Maryland Statutory Checklist - Hazardous and Solid Waste Amendments of 1984 which were attached to the November 12, 2000 Attorney General's Statement. Attached to this certification is the RCRA Statutory Checklist which consolidates the State's authorities originally documented on the Legislation and HSWA Statutory Checklists. The statutes referenced on the RCRA Statutory Checklist are from the Environment Article of the Annotated Code of Maryland (1996 Replacement Volume and 1999 Cumulative Supplement). (See Attachment II.).

CERTIFICATION REGARDING LEGISLATIVE, REGULATORY OR POLICY INITIATIVES

I hereby certify that the State of Maryland has not enacted any legislation or implemented any regulatory or policy initiatives that could potentially limit or interfere with the authority to implement, administer, or enforce the authorized hazardous waste program.

CERTIFICATION REGARDING JUDICIAL DECISIONS

There have not been any judicial decisions that limit or interfere with the State's authority to implement, administer, or enforce the authorized hazardous waste program.

Seal of Office

Signature *J. Joseph Curran Jr.*
J. JOSEPH CURRAN JR
Name (Type or Print)
Title *ATTORNEY GENERAL*
Date *11/14/02*