

US EPA ARCHIVE DOCUMENT

Commonwealth of Virginia

DEPARTMENT OF ENVIRONMENTAL QUALITY

SUPPLEMENT TO THE PROGRAM DESCRIPTION

REVISION III, 2004

On December 18, 1984, the hazardous waste management program in Virginia received final authorization from the U. S. Environmental Protection Agency (USEPA) for the base program functions. On September 20, 2000, Revision I was approved by USEPA and included final authorization of the full program functions in accord with 40 CFR 271. On June 20, 2003, Revision II was approved by the USEPA. Revision I included a full Program Description and Revision II included a supplement to the Program Description that replaced several sections, reflecting program changes between 2000 and 2002. This 2004 supplement to the Program Description describes the program changes between 2002 and 2004; however, the only substantive changes to the program are the amendments of the regulations and only those amendments are addressed herein.

The Virginia Waste Management Board adopts two kinds of amendments to its Hazardous Waste Management Regulations, 9 VAC 20-60. The first consists of sequentially numbered amendments that, in general, include state-initiated changes to the regulations. These normally apply to parts of the regulations that are broader in scope than the federal regulations, such as permit fee requirements and transporter permitting. The second consists of immediate final rules. Virginia's regulations consist largely of incorporations of federal regulations located in Title 40 of the Code of Federal Regulations. Since the federal regulations are frequently amended, 9 VAC 20-60-18 of the Virginia regulations defines the date of the federal regulation that are incorporated. With immediate final rules, the Board amends 9 VAC 20-60-18 to move that date forward so as to incorporate the most recent federal regulatory amendments.

Revision III includes five amendments to the Virginia Waste Management Board's Hazardous Waste Management Regulations, 9 VAC 20-60. The immediate final rules, IFR 2002, IFR 2003 and IFR 2004, moved the date in 9 VAC 20-60-18 forward so as to incorporate federal regulatory amendments through July 1, 2002, July 1, 2003, and July 1, 2004, respectively. In Amendments 16 and 17, the Board amended its hazardous waste regulations to change the fee structure for permit applications, to add annual fees for facilities and large quantity generators, shift the cost of certain public participation activities to applicants and petitioners, to require additional financial assurance documentation, and to allow for continuation of permits under specific circumstances. These amendments also made wording changes and technical corrections in order to clarify the regulations; for example, "director" has been replaced by "department" in many locations.

The documents of Revision III explain in detail the changes made to the regulations in the five amendments. The Department of Environmental Quality makes these regulations and pertinent parts of the federal regulations available through its website (www.deq.virginia.gov).