

US EPA ARCHIVE DOCUMENT



ROBERT H. HENRY
ATTORNEY GENERAL
STATE OF OKLAHOMA

July 20, 1989

Joan K. Leavitt, M.D.
Commissioner of Health
P.O. Box 53551
Oklahoma City, OK 73152

Re: Amendment to January 14, 1988 Attorney General's Statement for Final Authorization for Non-HSWA Changes to the Federal RCRA Program from January, 1983 through June, 1986

Dear Dr. Leavitt:

In response to your letter dated June 20, 1989, this will confirm and certify that the referenced Attorney General's Statement may be amended by deleting the final section of the second paragraph of that Statement, and by replacing it with the following new paragraph:

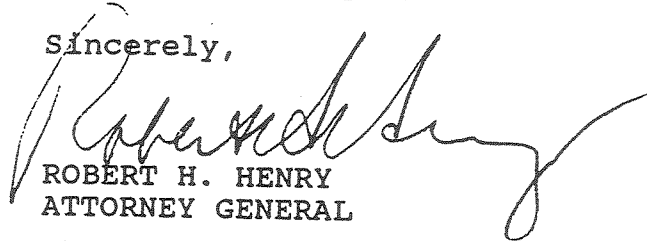
The new regulations, [Rules 200-240], incorporate by reference the U.S. Environmental Protection Agency's Hazardous Waste Management Regulations, 40 CFR Parts 260-266, 268, and 270, as amended through July 1, 1986, except for 40 CFR 260.20 through 260.22. Further, Rule 210 incorporates those provisions of Part 124 which are required by 40 CFR 271.14. This incorporation by reference was duly adopted under the laws of Oklahoma in 63 O.S. 1981, §§ 1-2001 et seq. which authorizes the Oklahoma State Department of Health to issue Rules and Regulations for Industrial Waste Management, ODH Bulletin 0525, as last amended on October 29, 1987. This incorporation does not operate to incorporate prospectively future changes to the incorporated sections of the Code of Federal Regulations, and no other Oklahoma law or regulation reduces the scope of coverage or otherwise

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affects the authority provided by these incorporated by reference provisions. Further, Oklahoma interprets these incorporated provisions to provide identical authority to the federal provisions. Thus, Rule 210 provides equivalent and no less stringent authority than the federal Subtitle C program in effect as of July 1, 1986.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert H. Henry".

ROBERT H. HENRY
ATTORNEY GENERAL

RHH/pdl
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