

US EPA ARCHIVE DOCUMENT

**ADDENDUM TO PROGRAM DESCRIPTION
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
HAZARDOUS WASTE MANAGEMENT PROGRAM
RCRA CLUSTER XI**

Part I: Organization and Management of the State Program (§ 271.6(b) through (h))

With this revision authorization application, the State of Oklahoma, through the Oklahoma Department of Environmental Quality (DEQ), is seeking authorization for RCRA Cluster XI. The State program now has in place statutory authority and regulations for all required program components through RCRA Cluster XI. These statutory and regulatory provisions were developed to provide corresponding authority to the Federal program; therefore, the State program is equivalent to, consistent with, and no less stringent than the Federal program.

The DEQ has received final authorization for the base RCRA program; for non-HSWA Clusters I through VI; for HSWA Clusters I and II; and for RCRA Clusters I through IX. The DEQ received final authorization for the Base Program in January of 1985.

No major changes have taken place in the State program since the last Addendum to Program Description was submitted to the U.S. Environmental Protection Agency on October 15, 2001.

A. State Agency Responsibilities (§ 271.6(b))

Oklahoma statutes provide authority for a single state agency, the DEQ, to administer the provisions of the State hazardous waste management program. These statutes are the Oklahoma Environmental Quality Act, 27A O.S. §§ 1-1-101 et seq. (Appendix A); general provisions of the Oklahoma Environmental Quality Code which may affect the hazardous waste program, 27A O.S.

§§ 2-1-101 through 2-3-507 (Appendix B); and the Oklahoma Hazardous Waste Management Act, 27A O.S. §§ 2-7-101 et seq. (OHWMA), specifically § 2-7-104 (Appendix C). 27A O.S. § 2-14-305 allows for issuance of general permits (Appendix D). No amendments were made to the above statutory authorities during the 2002 legislative session, which will substantially affect the State hazardous waste management program.

As was the case when the May 18, 2001 Addendum to Program Description was submitted, the Environmental Quality Board (Board) which consists of thirteen (13) members is appointed by the Governor with the advice and consent of the Senate. The Board is the rulemaking body of the DEQ. Permanent rules regarding hazardous waste are promulgated with the advice of the Hazardous Waste Management Advisory Council (Council); however, emergency rules may be promulgated by the Board without the advice of the Council.

The Council may not recommend rules for promulgation by the Board unless all applicable requirements of the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 et seq. (Appendix E) have been followed, including but not limited to notice, rule impact statement and rule-making hearings. Board meetings and Council meetings are conducted in accordance with the Oklahoma Open Meeting Act, 25 O.S. §301 et seq., (Appendix F).

These rules include provisions, found at OAC 252:205-3-1 through 252:205-3-6, to incorporate by reference, in accordance with the *Guidelines For State Adoption Of Federal Regulations By Reference*, the following EPA Hazardous Waste Management Regulations as amended through July 1, 2001: the provisions of Title 40 of the Code of Federal Regulations (CFR) Part 124 which are required by 40 CFR § 271.14 as well as 124.19(a) through (c) and (e), 124.31, 124.32, and 124.33; 40 CFR Parts 260-266, with the exception of 40 CFR §§ 260.21, 264.1(f),

264.149, 264.150, 264.301(l), 264.1030(d), 264.1050(g), 264.1080(e), 264.1080(f), 264.1080(g), 265.1(c)(4), 265.149, 265.150, 265.1030(c), 265.1050(f), 265.1080(e), 265.1080(f), and 265.1080(g); 40 CFR Part 268 except 268.5, 268.6, 268.13, 268.42(b), 268.44(a) through (g); 40 CFR 268.44 (m); and 40 CFR Part 270 except 270.14(b)(18); 40 CFR Part 273; and 40 CFR Part 279.

The Board adopted these amendments on March 1, 2002 as permanent rules. These permanent rules which became effective on June 13, 2002, implement the State hazardous waste program, and are codified in the OAC at OAC 252:205 et seq. (Appendix G).

The State's incorporation of Federal regulations does not incorporate prospectively future changes to the incorporated sections of 40 CFR, and no other Oklahoma law or regulation reduces the scope of coverage or otherwise 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, OAC 252:205-3-1 through 252:205-3-6 provides equivalent and no less stringent authority than the Federal Subtitle C program in effect through July 1, 2001.

Pursuant to the Oklahoma statutes listed in Part I. (A), a single state agency, the DEQ, has authority to administer the provisions of the State hazardous waste management program. The DEQ remains the official agency of the State of Oklahoma, as designated by 27A O.S. § 2-7-105(13) to cooperate with Federal agencies for purposes of hazardous waste regulation.

The OHWMA delegates authority to the DEQ to administer the State hazardous waste program, including the statutory and regulatory provisions necessary to administer the RCRA

Cluster XI provisions. The DEQ is the sole State agency responsible for administering the provisions of the OHWMA.

Currently, the Oklahoma Corporation Commission (OCC) regulates certain aspects of the oil and gas production and transportation industry in Oklahoma, including certain wastes generated by pipelines, bulk fuel sales terminals and certain tank farms. The DEQ and the OCC have in place a *DEQ/OCC Jurisdictional Guidance Document* that reflects the jurisdictional areas involving the two agencies. Appendix H contains the current *DEQ/OCC Jurisdictional Guidance Document* that was signed as amended on January 27, 1999. Although this guidance document has not been revoked by the DEQ or the OCC, the OCC has passed rules that some may argue affect a portion of the RCRA universe. However, the DEQ continues to exert jurisdiction over all aspects of the RCRA universe in Oklahoma. Attached as Appendix M is a copy of the OCC rules that amend OAC 165:10.

The revision of the State program to include administering the provisions of RCRA Cluster XI will not require a change regarding which state agency is responsible for administering the State hazardous waste program.

B. Staffing and Funding Resources (271.6(b))

The Executive Director of the DEQ, whose responsibilities have not changed significantly since the October 15, 2001 Addendum to the Program Description submittal, is appointed by the Board, and is responsible for the administration of the DEQ. The Executive Director is given specific powers and duties necessary to fully implement a State hazardous waste program that is equivalent to the Federal hazardous waste program.

The Executive Director is given the duty to "establish such divisions and such other programs and offices as the Executive Director may determine necessary to implement and administer programs and functions within the jurisdiction of the DEQ pursuant to the Oklahoma Environmental Quality Code." Accordingly, pursuant to 27A O.S. § 2-7-104, the Executive Director created the Waste Management Division, renamed the "Land Protection Division" (LPD) effective January 1, 2001, which is responsible for implementing the provisions of the OHWMA.

The LPD continues to be staffed with personnel that have the administrative expertise, technical background and experience necessary to effectively administer and implement the RCRA Cluster XI program. Many of the personnel currently employed in the RCRA program of the LPD have several years of experience in the hazardous waste program. Both experienced and new personnel participate in a variety of training programs to increase their expertise and skills.

The organization of the LPD is depicted in Appendix I. Table I of Appendix I shows staffing requirements for the LPD hazardous waste program support personnel, based on the EPA/State Grant. Table I-A of Appendix I itemizes the costs of administrative support, technical support, and costs of personnel for fiscal year 2003, based on contributions the State will make above the amounts in the EPA/State Grant. Table II of Appendix I shows the LPD hazardous waste program budget for State Fiscal Year 2003 (July 1, 2002 - June 30, 2003), which shows funding amounts based on the personnel requirements set out in the EPA/State Grant. Tables III and IV of Appendix I are estimated budgets for FY 2004 and FY 2005, respectively. Tables II, III, and IV of Appendix I also identify the sources and amounts of funding, including Federal grant money, and explain how the funding may be expended.

Personnel are primarily engineers and hydrologists in the RCRA Permitting & Site Remediation Sections of the LPD. These individuals are presently involved in the ongoing RCRA permitting, corrective action, and facility management activities throughout the state.

With respect to assignment of personnel to perform necessary duties to meet the requirements of implementation of RCRA Cluster XI, many factors will be taken into consideration. These factors include: (1) other Program Plan commitments; (2) other state program commitments; (3) the nature of the work being performed; and (4) the specific skills of the personnel. For example, although most of the personnel involved will be engineers and groundwater specialists, if a project requires specialized knowledge of hazardous waste combustion, the DEQ technical staff utilizes personnel with advanced knowledge in this area. Therefore, RCRA work involving combustion is handled by these individuals and other work assignments are adjusted accordingly.

The DEQ estimates that a full-time technical employee costs \$55,000 - \$60,000 annually, including benefits and all administrative costs. It is anticipated that no additional personnel will need to be hired to implement the provisions of RCRA Cluster XI. The state matching funds are required to be spent within the hazardous waste program. There are no restrictions or limitations that would prohibit these funds from being spent on RCRA requirements.

C. State Procedures (§ 271.6(c))

The Environmental Quality Board amended the current rules of procedure in place for the DEQ on February 23, 2001. These rules, OAC 252:4, became effective as permanent rules on June 11, 1999. See Appendix J. Nothing in the current rules in any way restricts the Land Protection Division from fulfilling its responsibilities under the OHWMA, the Memorandum of Agreement

(MOA) which is included with this Revision Application, or the Performance Partnership Agreement (PPA) entered into by the DEQ and EPA.

Appeal procedures for RCRA hazardous waste permits issued by the DEQ are specified in 40 CFR § 124.19(a) through (c) and (e), which the DEQ adopts by reference.

The DEQ and EPA have agreed to a joint permitting process (see section V.D of the MOA) for the joint processing and enforcement of permits for those provisions of HSWA promulgated after June 30, 1996; however, as the DEQ receives authorization for provisions of the HSWA promulgated after June 30, 1996, EPA will suspend issuance of Federal permits in the State for those provisions.

The division of responsibility between the State and EPA for administration of respective provisions of RCRA is described in detail in the MOA.

While EPA may comment on any permit application or draft permit, EPA's overview function will focus primarily on those facilities identified in the PPA and on facilities for which the DEQ requests EPA's assistance.

D. Compliance Tracking and Enforcement (§ 271.6(e))

The goal of the RCRA Compliance Section of the DEQ has not changed since the submittal of the May 18, 2001 Addendum to Program Description. The RCRA Compliance Section continues to achieve and maintain a high rate of compliance within the regulated universe by establishing a comprehensive inspection program and taking timely and effective enforcement actions against violators.

The DEQ continues to diligently attempt to adhere to the time frames for enforcement actions specified in the current EPA Enforcement Response Policy (ERP) and the multi-year

EPA/DEQ Enforcement Memorandum of Understanding (MOU) [generally, 180 days for formal enforcement against Significant Non-Compliers (SNC), and 180 days from the first day of discovery of exceedence with the compliance schedule (and extensions granted) established through the informal enforcement action (Notice of Violation NOV) resulting in escalation to formal enforcement, if necessary or appropriate, against Secondary Violators (SV)]. In those circumstances in which the DEQ determines it cannot meet a specified time frame, it makes every effort to notify the EPA, as specified in the ERP and MOU, in advance of the deadline with a specification of the reason(s) for the delay and identifies an alternate time frame.

The PPA specifies the annual goals for inspections to be performed by the DEQ within the various categories of hazardous waste handlers.

The DEQ identifies violations of RCRA hazardous waste requirements by three primary means: inspections, periodic record reviews (e.g. manifests and state disposal plans), and complaints (as verified by subsequent investigation or inspection). The DEQ utilizes numerous inspection checklists to identify violations, including the Land Disposal Restriction checklist, when performing inspections at hazardous waste handler sites. Once a violation is identified, it is recorded by entry into the EPA RCRA Info system, as well as DEQ's Facility Information Data System for Oklahoma (FIDO). Violations are documented by the issuance of a NOV for most Class I and II violations and by the issuance of an Administrative Compliance and Penalty Order (ACPO) for SNCs. When either an NOV or ACPO is issued, compliance is tracked by not only RCRA Info but also by both the DEQ FIDO previously mentioned and by the computerized docket system of the Office of General Counsel of the DEQ, until resolution.

The DEQ continues to use EPA's Violation Classification Guidance document, i.e.,

violations are classified as Class I* (most serious), Class I (very serious), and Class II (less serious), and violators as SNCs and SVs. A SNC is a handler who, by its violations, has caused actual exposure or a substantial likelihood of exposure to hazardous waste or hazardous constituents, or who is a chronic or recalcitrant violator, or who substantially deviates from the terms of a permit, order or decree. Generally, a SV is a handler who does not meet the criteria for identification as a SNC. More details, along with examples, of the violation classification scheme are contained in the EPA Violation Classification Guidance Document.

As noted above, Administrative Orders with penalties are the means commonly used to address SNCs. NOVs are issued to SVs, with an administrative order subsequently issued if necessary within 180 days from the first day of discovery of exceedence with the schedule (and extensions granted) established through the NOV. State statutes also authorize the DEQ to bring actions in state court for injunctions and civil penalties (27A O.S. § 2-7-129) (Appendix C), and to refer violations to state district attorneys for criminal prosecution (27A O.S. § 2-7-131) (Appendix C). Fines of up to \$25,000.00 per day per violation are authorized in administrative, civil and criminal actions (27A O.S. §§ 2-7-126, 2-7-129, & 2-7-130) (Appendix C); additionally, the most serious violations (e.g. illegal disposal), if committed knowingly and willfully, are now classified as felonies under state law, with prison terms of up to ten years. The DEQ currently has an Environmental Crimes Investigation Team, chaired by the General Counsel of the DEQ, which includes one or more assigned attorneys, one or more assigned Environmental Program Specialists, the RCRA Compliance Section Manager, and other compliance and enforcement managers as needed. A copy of the Environmental Crimes Act, 21 O.S. §§ 1230.1 et seq. is attached as Appendix K.

Once any type of order is issued to a facility, it is tracked by the above-mentioned tracking mechanisms until resolution. Verification of compliance is usually accomplished by either requiring the violator to submit appropriate documentation to demonstrate compliance, by a follow-up inspection or a combination of submittal of appropriate documentation and a follow-up inspection.

E. Estimated Regulated Activities (§§ 271.6(g) and (h))

Currently, based on Hazardous Waste Notifications, there are approximately 168 large quantity generators; 804 small quantity generators; 188 conditionally exempt generators; and 166 transporters.

There are three on-site and four off-site treatment facilities in Oklahoma. The State has six on-site disposal facilities and two off-site disposal facilities. Of the total of 16 permitted storage facilities, there are 11 on-site facilities and 5 off-site facilities. Treatment facilities that were also storage facilities were only counted in the treatment category. Disposal facilities that also had storage were only counted in the disposal category. Virtually all of the treatment and disposal facilities also had storage capability.

DEQ data from 1985, which was the year the State program was originally authorized, indicates the universe in the State at that time included approximately 136 large quantity generators; 160 small quantity generators; 350 conditionally exempt generators; 115 transporters; 17 burner/blenders; and 47 treatment, storage and disposal facilities.

Estimates of annual quantities of hazardous waste managed in Oklahoma, based upon the most recent, published Biennial Report (1999) are :

- 391,444 tons generated within the State;

- 97,388 tons transported into the State;
- 30,086 tons transported out of the State;
- 485,193 tons managed on-site within the State;
- 108,033 tons managed off-site within the State (including 97,388 tons of imported waste).

F. Copies of State Forms and Coordination With Other Agencies (§§ 271.6(d) and (f))

There is no impact upon State forms or upon interagency coordination by the changes discussed herein. It should be noted in particular, because of the ramifications for other authorized State programs and the Federal program, that the DEQ continues to require use of the Uniform Hazardous Waste Manifest for the shipment of hazardous waste. The DEQ supplies copies of all international shipment manifests to EPA in accordance with the PPA. Copies of the forms used by the State are attached as Appendix L.

Part II: Scope, Structure, Coverage and Processes

To provide a more detailed discussion of the scope of the program revisions being applied for, the following narrative discussion corresponds to the format of the Reviewer's Checklist for the Program Description included in SPA 22 of the EPA State Authorization Manual:

A. NESHAPS: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors; Technical Corrections (Revision Checklist 188).

Checklist Title: Hazardous Air Pollutant Standards; Technical Corrections
Reference: 65 FR 42292-42302; 66 FR 24270-24272; 66 FR 35087-35107
Promulgation Date: July 10, 2000; May 14, 2001; July 3, 2001
Effective Date: July 10, 2000; May 14, 2001; October 16, 2001
Cluster: RCRA Cluster XI

Provision Type: Non-HSWA

In accordance with federal authorities RCRA §§1004, 1006, and 3001; 40 CFR 261.4(a)(16), 261.38, and 261.38 Table 1, as amended June 19, 1998 (63 FR 33782), September 30, 1999 (64 FR 52828), November 19, 1999 (64 FR 63209), and July 10, 2000 (65 FR 42292), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which exclude from the definition of solid waste fuels which are produced from a hazardous waste, but which are comparable to some currently used fossil fuels, as indicated in Revision Checklists 168, 182, and 188.

In accordance with federal authorities RCRA §§ 1006(b), 3004(a), and 3005(c)(3); 40 CFR 264.340(b)-(e), 270.19 introduction, 270.19(e), and 270.62 introduction, as amended September 30, 1999 (64 FR 52828) and July 3, 2001 (66 FR 35087), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which include an exemption for hazardous waste burning incinerators from the RCRA national stack emission standards when owners or operators demonstrate compliance with the MACT requirements of 40 CFR part 63 subpart EEE by conducting a comprehensive performance test and submitting a Notification of Compliance as indicated in Revision Checklists 182 and 188. However, after this demonstration, RCRA permit conditions will remain in effect until the permit is modified, terminated, or revoked, unless the permit expressly provides otherwise.

In accordance with federal authorities RCRA §§ 1006, 3004, 3005, and 7004; 40 CFR 270.42(j), 270.42 Appendix I (L(9)), and 270.72(b)(8), as amended June 19, 1998 (63 FR

33782), September 30, 1999 (64 FR 52828), July 10, 2000 (65 FR 42292), and May 14, 2001 (66 FR 24270), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which include requirements for hazardous waste combustion facility permit modifications to meet 40 CFR part 63 MACT standards as indicated in Revision Checklists 168, 182, and 188. State statutes and regulations also address such changes during interim status.

Accordingly, the State requirements are consistent with and equivalent to the Federal requirements, and no significant increase in funding or personnel will be required when the State receives authorization for these provisions.

B. Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Chlorinated Aliphatics Production Wastes; Land Disposal Restrictions for Newly Identified Wastes; and CERCLA Hazardous Substance Designation and Reportable Quantities (Revision Checklist 189).

Checklist Title: Chlorinated Aliphatics Listing and LDRs for Newly Identified Wastes
Reference: 65 FR 67068-67133
Promulgation Date: November 8, 2000
Effective Date: May 7, 2001
Cluster: RCRA Cluster XI
Provision Type: HSWA

In accordance with federal authorities, RCRA §§2002(a), 3001(b), 3001(e)(2), and 3007(a); 40 CFR 268.33, 268.40/Table, and 268.48(a)/Table as amended November 8, 2000 (65 FR 67068), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which provide for stringent management and treatment standards for two wastes

(K174 and K175) generated by the chlorinated aliphatics industry as indicated in Revision Checklist 189.

Accordingly, the State requirements are consistent with and equivalent to the Federal requirements, and no significant increase in funding or personnel will be required when the State receives authorization for these provisions. These two newly listed wastes are not currently handled in the State of Oklahoma. There are no generators of this waste at this time, nor are there any TSDs permitted to accept this waste.

C. Deferral of Phase IV Standards for PCBs as a Constituent Subject to Treatment in Soil (Revision Checklist 190).

Checklist Title: Land Disposal Restrictions Phase IV – Deferral for PCBs in Soil
Reference: 65 FR 81373-81381
Promulgation Date: December 26, 2000
Effective Date: December 26, 2000
Cluster: RCRA Cluster XI
Provision Type: HSWA

In accordance with federal authorities, RCRA §§3004(g) and (m); 40 CFR 268.32, 268.48(a)/Table UTS, 268.49(d), and Part 268 Appendix III as amended December 26, 2000 (65 FR 81373), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which include a temporary deferral from the requirement that PCBs be treated as a constituent subject to treatment when present in soils that exhibit the toxicity characteristic for metals, as indicated in Revision Checklist 190.

Accordingly, the State requirements are consistent with and equivalent to the Federal requirements, and no significant increase in funding or personnel will be required when the State receives authorization for these provisions.

D. Storage, Treatment, Transportation, and Disposal of Mixed Waste (Revision Checklist 191).

Checklist Title: Mixed Waste Rule
Reference: 66 FR 27218-27266
Promulgation Date: May 16, 2001
Effective Date: November 13, 2001
Cluster: RCRA Cluster XI
Provision Type: Non-HSWA

In accordance with federal authorities, RCRA §§1006, 2002(a), 3001-3009 and 3013; 40 CFR Part 266, Subpart N, as amended May 16, 2001 (66 FR 27218), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide for conditional exemptions for low-level mixed wastes during storage and treatment, and for LLMW and technologically enhanced naturally occurring and/or accelerator-produced radioactive material during manifesting, transportation, and disposal as indicated in Revision Checklist 191.

Accordingly, the State requirements are consistent with and equivalent to the Federal requirements, and no significant increase in funding or personnel will be required when the State receives authorization for these provisions.

E. Hazardous Waste Identification Rule (HWIR): Revisions to the Mixture and Derived-From Rules (Revision Checklist 192 A and B).

Checklist Title: A. Mixture and Derived-From Rules Revisions
B. Land Disposal Restrictions Correction
Reference: 66 FR 27266-27297
Promulgation Date: May 16, 2001

Effective Date: August 14, 2001
Cluster: RCRA Cluster XI
Provision Type: HSWA/Non-HSWA

In accordance with federal authorities, RCRA §§1006, 2002(a), and 3001-3005; 40 CFR 261.3(a)(2)(iv), (c)(2)(i), (g) and (h) as amended May 16, 2001 (66 FR 27266), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which expand the exclusion from classification as hazardous to include mixtures and/or derivatives of wastes listed solely for ignitability, corrosivity and/or reactivity characteristics, and provide a conditional exemption from mixture and derived-from rules for mixed wastes as indicated in Revision Checklist 192 A.

In accordance with federal authorities, RCRA §§3004(d)-(k) and (m); 40 CFR 268.4(a)(2)(ii)&(iii), 268.40/Table, 268.40(e), 268.42(a), 268.45(a) intro, 268.45(d)(3)&(4), 268.48, 268 Appendices VII & VIII as amended May 26, 1998 (63 FR 28556), June 8, 1998 (63 FR 31266), May 11, 1999 (64 FR 25408), and May 16, 2001 (66 FR 27266), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which include corrections and clarifications to the land disposal restrictions as indicated in Revision Checklists 167 C, 179 and 192 B.

Accordingly, the State requirements are consistent with and equivalent to the Federal requirements, and no significant increase in funding or personnel will be required when the State receives authorization for these provisions.

F. Change of Official EPA Mailing Address; Additional Technical Amendments and Corrections (Revision Checklist 193).

Checklist Title: Change of Official EPA Mailing Address
Reference: 66 FR 34374-34376
Promulgation Date: June 28, 2001
Effective Date: June 28, 2001
Cluster: RCRA Cluster XI
Provision Type: Non-HSWA

In accordance with federal authorities, Reorganization Plan No. 3 of 1970; 5 U.S.C. (Administrative Procedures Act) §553; 40 CFR 260.11(a)(11), as amended June 28, 2001 (66 FR 34374), State statutes 27A O.S. §§ 2-7-106, 2-2-104 and OAC 252:205-3-1 through 252:205-3-6 provide authority for State program requirements to be equivalent to the Federal program requirements which include corrections to EPA's official mailing address as indicated in Revision Checklist 193.

Accordingly, the State requirements are consistent with and equivalent to the Federal requirements, and no significant increase in funding or personnel will be required when the State receives authorization for these provisions.

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