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Permanent Final Adoptions

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 205. HAZARDOUS WASTE MANAGEMENT

[OAR Docket #10-672]

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter 3. Incorporation by Reference
252:205-3-1. [AMENDED]

AUTHORITY:

Environmental Quality Board and Hazardous Waste Management Advisory Council powers and duties, 27A O.S. §§ 2-2-101, 2-2-201, 2-2-104, 2-7-105 and 2-7-106

DATES:

Comment period:

September 15 through October 22, 2009 and November 19, 2009

Public hearing:

October 22, 2009 and November 19, 2009

Adoption:

November 19, 2009

Submitted to Governor:

November 30, 2009

Submitted to House:

November 30, 2009

Submitted to Senate:

November 30, 2009

Gubernatorial Approval:

December 29, 2009

Legislative approval:

Failure of the Legislature to disapprove the rules resulted in approval on March 24, 2010

Final adoption:

March 24, 2010

Effective:

July 1, 2010

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATION BY REFERENCE:

Incorporated standards:

Reference to Title 40 of the Code of Federal Regulations changed to "as amended through July 1, 2009."

Incorporating rules:

252:205-3-1

Availability:

From the contact person listed below

ANALYSIS:

The purpose of the proposed amendment is to incorporate by reference the federal hazardous waste regulations found in 40 CFR Parts 124 and 260-279 revised as of July 1, 2009, except for the revisions to 40 CFR published at 73 FR 64668 - 64788 (October 30, 2008), "Revisions to the Definition of Solid Waste: Final Rule."

CONTACT PERSON:

Jon Roberts (405) 702-5153, 707 North Robinson, Fifth Floor, Oklahoma City, Oklahoma 73102. Mailing address is P. O. Box 1677, Oklahoma City, OK 73101-1677. E-mail address is jon.roberts@deq.ok.gov.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTION 308.1(A), WITH AN EFFECTIVE DATE OF JULY 1, 2010:

SUBCHAPTER 3. INCORPORATION BY REFERENCE

252:205-3-1. Reference to 40 CFR

(a) When Incorporation date. Except as provided in subsection (b), when reference is made to Title 40 of the Code of Federal Regulations (40 CFR), it shall mean (unless otherwise specified) the Hazardous Waste Regulations, Monday, May 19, 1980, as amended through July 1, ~~2008~~ 2009.

(b) Excluded provisions. None of the revisions to 40 CFR published at 73 FR 64668 - 64788 (October 30, 2008), "Revisions to the Definition of Solid Waste: Final Rule" are incorporated herein.

[OAR Docket #10-672; filed 4-23-10]

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 611. GENERAL WATER QUALITY

[OAR Docket #10-673]

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter 1. General Provisions
252:611-1-3. Adoption and incorporation by reference [AMENDED]

AUTHORITY:

Environmental Quality Board powers and duties, 27A O.S. § 2-2-101; Water Quality Management Advisory Council powers and duties, 27A O.S. § 2-2-201; and Water Quality, 27A O.S. §§ 2-6-101 *et seq.*

DATES:

Comment period:

September 1, 2009, through October 5, 2009

Public hearing:

October 13, 2009, and November 19, 2009

Adoption:

November 19, 2009

Submitted to Governor:

November 30, 2009

Submitted to House:

November 30, 2009

Submitted to Senate:

November 30, 2009

Gubernatorial approval:

December 29, 2009

Legislative approval:

Failure of the Legislature to disapprove the rules resulted in approval on March 24, 2010

Final adoption:

March 24, 2010

Effective:

July 1, 2010

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

Incorporated standards:

40 CFR, Part 130, July 1, 2009, unless otherwise specified

Incorporating rules:

OAC 252:611-1-3

Availability:

The federal rules incorporated above will be readily available to the public for examination at the administrative offices of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102, Monday B Friday (excluding holidays) from the hours of 8:00 a.m. B 4:30 p.m., by September 1st.

ANALYSIS:

The Department proposes to update its rules concerning entities required to receive a water quality certification from the Oklahoma Department of Environmental Quality, pursuant to Section 401 of the Clean Water Act, when

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CHAPTER 205. HAZARDOUS WASTE MANAGEMENT**

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter 3. Incorporation by Reference
252:205-3-1. [AMENDED]

AUTHORITY:

Environmental Quality Board and Hazardous Waste Management Advisory Council
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N/A

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Reference to Title 40 of the Code of Federal Regulations changed to "as amended through
July 1, 2009."

Incorporating rules:

252:205-3-1

Availability:

From the contact person listed below

ANALYSIS:

ACCEPTED 4/29/10
Office of Administrative Rules
Oklahoma Secretary of State
Docket # 10 - 672 · OAR/cert CN

The purpose of the proposed amendment is to incorporate by reference the federal hazardous waste regulations found in 40 CFR Parts 124 and 260-279 revised as of July 1, 2009, except for the revisions to 40 CFR published at 73 FR 64668 - 64788 (October 30, 2008), "Revisions to the Definition of Solid Waste: Final Rule."

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