

Subpart D—Responsibilities of Identified Agencies and Relationship to Other Programs

§ 255.30 Responsibilities established.

The following duties and responsibilities should be assigned for all appropriate areas pursuant to section 4006.

(a) Disposal of municipal solid waste should be an identified responsibility throughout the State. In the event that no local or regional agency is held responsible for disposal for a region, a State agency should be identified and held accountable.

(b) Where the State plan identifies municipal sewage sludge disposal, hazardous waste disposal or other functions needing attention in a region, an agency should be identified as being responsible for that function in that region.

(c) These responsibilities may be assigned with the intent that private industry be the actual purveyor of service.

§ 255.31 Integration with other acts.

The Governor shall integrate the provisions of these guidelines for purposes of administration and enforcement, and should avoid duplication to the maximum extent practicable, with the appropriate regional identification provisions of the Clean Air Act (42 U.S.C. 1857 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.) and other appropriate Acts of Congress.

(Sec. 1006(b), Pub. L. 94-580, 90 Stat. 2795 (42 U.S.C. 6905(b)))

§ 255.32 Coordination with other programs.

The region and agency identification criteria (§255.11) specify review of solid waste activities being conducted by water quality management planning agencies, underground injection control agencies, and air quality management agencies. There should be a formal means of coordination established between any agencies established under

section 4006 which are not identical with these agencies. Coordination should be established so that permittees under the National Pollutant Discharge Elimination System of the Federal Water Pollution Control Act will be consulted concerning disposal of residual sludges.

§ 255.33 Inclusion of Federal facilities and Native American Reservations.

Major Federal facilities and Native American Reservations should be treated for the purposes of these guidelines as though they are incorporated municipalities, and the facility director or administrator should be considered the same as a locally elected official.

(Sec. 6001, Pub. L. 94-580, 90 Stat. 2795 (42 U.S.C. 6961))

Subpart E—Submission and Revision of Identifications

§ 255.40 Notification of status.

This subpart describes procedures which may ultimately be required by EPA when it publishes regulations governing application and eligibility for grants under section 4007. Under these regulations the appropriate EPA Regional Administrator will consider the identifications made under section 4006 as one of the conditions of grant eligibility.

The Regional Administrator may accept, in State grant applications, notification of the status of these identifications to ensure that premature decisions on State plan development will not be forced by the timing of the identifications specified in the Act. Procedures are outlined here to advise the States of what EPA expects to require in such notification.

(a) The notification should specify those regional boundaries and agencies which are uncontested at the time of submission, and specify a schedule of hearings and determinations of subsequent identification of regions and agencies as consensus is reached.

(b) The appropriate level of detail and the timing of the identifications to be made should be established for each planning region after agreement between the State and the appropriate