(7) Program Description. The Program Description and any other materials submitted as supplements thereto, although not incorporated by reference, are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 et seq. 

[71 FR 11534, Mar. 8, 2006]

§§ 272.2102–272.2149 [Reserved]

Subpart RR—Tennessee

§§ 272.2150–272.2199 [Reserved]

Subpart SS—Texas

§ 272.2200 [Reserved]


(b) The State of Texas has primary responsibility for enforcing its hazardous waste management program. However, EPA retains the authority to exercise its inspection and enforcement authorities in accordance with sections 3007, 3008, 3013, 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, 6973, and any other applicable statutory and regulatory provisions, regardless of whether the State has taken its own actions, as well as in accordance with other statutory and regulatory provisions. 

(c) State statutes and regulations. (1) The Texas statutes and regulations cited in paragraph (c)(1)(i) of this section are incorporated by reference as part of the hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et seq. This incorporation by reference is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(i) The Binder entitled “EPA Approved Texas Statutory and Regulatory Requirements Applicable to the Hazardous Waste Management Program”, dated June 2005 

(ii) The binder is available from West Publishing Company, 620 Opperman Drive, P.O. Box 64526, Saint Paul, MN 55164–0526; Phone: 1–800–328–4880; Web site: http://west.thomson.com.

(ii) Texas Health and Safety Code (THSC) Annotated, (Vernon, 2001); Chapter 361, The Texas Solid Waste Disposal Act, sections 361.002, 361.016, 361.017, 361.018, 361.024(e), 361.032, 361.033, 361.036, 361.037(a), 361.061, 361.063, 361.064, 361.066(b), 361.067, 361.068(a), 361.069 first two sentences, 361.078, 361.079, 361.080(a), 361.082(b), 361.082(c) (except second sentence), 361.082(e), 361.083, 361.084 (except 361.084(a) and (c)), 361.084(c) (except the phrase “Except as provided by Subsection (e)”), 361.085, 361.085(a), 361.085(b), 361.086, 361.087, 361.088(a) (except the phrase “Except as provided in Subsections (b) and (c).”), 361.089(a), 361.100, 361.101, 361.102(a) (except the phrase “Except as provided in Subsections (b) and (c).”), 361.103 through 361.108, 361.109(a), 361.301, 361.321(a) and (b), 361.321(c) (except the phrase “Except as provided by Section 361.322(a).”), 361.321(d), and 361.321(e) (except the phrase “Except as provided by Section 361.322(e).”); Chapter 371, Texas Oil Collection, Management, and Recycling Act, sections 371.022(b) and (c), 371.024(a), 371.024(c) and (d), 371.026(a) and (b), 371.028, and 371.043(b). 

(ii) Texas Health and Safety Code (THSC) Annotated, (Vernon, 2002 Supplement), effective September 1, 2001; Chapter 361, The Texas Solid Waste Disposal Act, sections 361.082(b), 361.084(a), 361.084(g), and 361.114.