§§ 272.1100–272.1149  [Reserved]

Subpart X—Michigan

§ 272.1150 State authorization.

(a) The State of Michigan is authorized to administer and enforce a hazardous waste management program in lieu of the Federal program under subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C. 6921 et seq., subject to the Hazardous and Solid Waste Amendments of 1984 (HSWA) (Public Law 98-616, November 8, 1984), 42 U.S.C. 6926(c) and (g). The Federal program for which a State may receive authorization is defined in 40 CFR part 271. The State’s program, as administered by the Michigan Department of Natural Resources, was approved by EPA pursuant to 42 U.S.C. 6926(b) and part 271 of this chapter. EPA’s approval of Michigan’s base program was effective on October 30, 1986 (see 51 FR 36804). EPA’s approval of the revisions to Michigan’s base program was effective on January 23, 1990 (see 54 FR 48608) and RCRA Cluster III authorization effective June 24, 1991 (see 56 FR 18517).

(b) Michigan is authorized to implement certain HSWA requirements in lieu of EPA. EPA has explicitly indicated its intent to allow such action in a FEDERAL REGISTER notice granting Michigan authorization and RCRA Cluster III authorization effective June 24, 1991 (see 56 FR 18517).

(c) Michigan has primary responsibility for enforcing its hazardous waste program. However, EPA retains the authority to exercise its enforcement authorities under sections 3007, 3008, 3013, and 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, and 6973, as well as under other Federal laws and regulations.

(d) Michigan must revise its approved program to adopt new changes to the Federal Subtitle C program in accordance with section 3006(b) of RCRA and 40 CFR part 271, subpart A. Michigan must seek final authorization for all program revisions, pursuant to section 3006(b) of RCRA but, on a temporary basis, may seek interim authorization for revisions required by HSWA, pursuant to section 3006(g) of RCRA, 42 U.S.C. 6926(g). If Michigan obtains final authorization for the revised requirements pursuant to section 3006(g), the newly authorized provisions will be listed in § 272.1151 of this subpart. If Michigan obtains interim authorization for the revised requirements pursuant to section 3006(g), the newly authorized provisions will be listed in § 272.1152.

§ 272.1151 State-administered program: Final authorization.

Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Michigan has final authorization for the following elements submitted to EPA in Michigan’s base program and program revision applications for final authorization and approved by EPA effective on October 30, 1986 (see 51 FR 36804), January 23, 1990 (see 54 FR 46808), and RCRA Cluster III authorization effective June 24, 1991 (see 56 FR 18517).

(a) State Statutes and Regulations.

(i) The requirements in the Michigan statutes and regulations cited in this
paragraph are incorporated by reference and codified as part of the hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et seq. This incorporation, by reference, was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a).


(b) Memorandum of Agreement. The Memorandum of Agreement between EPA—Region V and the Michigan Department of Natural Resources, signed by the EPA Regional Administrator on February 7, 1991, is codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et seq.

(c) Statement of Legal Authority. The Michigan Attorney General’s Statements for final authorization signed by the Attorney General of Michigan on October 25, 1985, and supplements to...
§ 272.1152–272.1199


(d) Program Description. The Program Description dated June 30, 1984, and the supplements thereto dated June 30, 1986, September 12, 1988, and July 31, 1990, are codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et seq.

§§ 272.1200–272.1249 [Reserved]

§ 272.1201 Minnesota State-administered program; Final authorization.

Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Minnesota has final authorization for the following elements as submitted to EPA in Minnesota’s base program and revision application for final authorization as approved by EPA effective on February 11, 1985. Subsequent program revision applications were approved effective on September 18, 1987, June 23, 1989, August 14, 1990, August 23, 1991, May 18, 1992, May 17, 1993, and March 21, 1994.

(a) State statutes and regulations. (1) The Minnesota statutes and regulations cited in appendix A are incorporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 et seq.


(2) The following statutes and regulations concerning State enforcement, although not incorporated by reference for enforcement purposes, are part of the authorized State program: Minnesota Statutes, Chapters 14.02–14.56; 115.07 Subdivisions 1 and 3; 116.091; 116.11, and 116B.09 (June 1992 edition).

(b) [Reserved]

§§ 272.1250–272.1299 [Reserved]

§ 272.1300 State authorization.

(a) The State of Missouri is authorized to administer and enforce a hazardous waste management program in lieu of the Federal program under Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C. 6921 et seq., subject to the Hazardous and Solid Waste Amendments of 1984 (HSWA), (Pub. L. 98–616, Nov. 8, 1984), 42 U.S.C. 6926 (c) and (g)). The Federal program for which a State may receive authorization is defined in 40 CFR part 271. The State’s program, as administered by the Missouri Department of Natural Resources was approved by EPA pursuant to 42 U.S.C. 6926(b) and part 271 of this Chapter. EPA’s approval was effective on December 4, 1985 (50 FR 47740, November 20, 1985).

(b) Missouri is not authorized to implement any HSWA requirements in lieu of EPA unless EPA has explicitly indicated its intent to allow such action in a FEDERAL REGISTER notice granting Missouri authorization.

(c) Missouri has primary responsibility for enforcing its hazardous waste program. However, EPA retains the authority to exercise its enforcement authorities under sections 3007, 3008, 3013, and 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, and 6973, as well as under other Federal laws and regulations.

(d) Missouri must revise its approved program to adopt new changes to the Federal Subtitle C program in accordance with section 3006(b) of RCRA and 40 CFR part 271, subpart A. Missouri must seek final authorization for all program revisions pursuant to section 3006(b) of RCRA, but, on a temporary basis, may seek interim authorization.