

§ 271.2

40 CFR Ch. I (7–1–20 Edition)

TABLE 2—SELF-IMPLEMENTING PROVISIONS OF THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984—Continued

Effective date	Self-implementing provision	RCRA citation	FEDERAL REGISTER reference
May 20, 2002	Prohibition on land disposal of K176, K177, and K178 wastes, and prohibition on land disposal of radioactive waste mixed with K176, K177, and K178 wastes, including soil and debris.	3004(g)(4)(C) and 3004(m)	Nov. 20, 2002, 66 FR 28299.
Jan. 24, 2003	Elimination of LDR Treatment Standards Exemption for K061 Derived Fertilizers.	3004(g)(6)	July 24, 2002, 66 FR 48414.
Aug. 23, 2005	Prohibition on land disposal of K181 waste, and prohibition on land disposal of radioactive waste mixed with K181 wastes, including soil and debris.	3004(g)(4)(C) and 3004(m)	Feb. 24, 2005, 70 FR 9179.
July 7, 2010	Exports of hazardous waste	3017(a)	75 FR 1262
August 12, 2011 ...	Land Disposal Restrictions: Revision of the Treatment Standards for Carbamate Hazardous Wastes.	3004(m)	76 FR [Insert Page Numbers]
December 31, 2016.	Hazardous Waste Export-Import Revisions	3017(a)	81 FR 85728

¹ Note that the effective date was changed to Jan. 29, 1986 by the Nov. 29, 1985 rule.
² Note that the effective date was changed to Sept. 22, 1986 by the Mar. 24, 1986 rule.

[48 FR 14248, Apr. 1, 1983]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 271.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 271.2 Definitions.

The definitions in part 270 apply to all subparts of this part.

§ 271.3 Availability of final authorization.

(a) Where a State program meets the requirements of section 3006 of RCRA and this subpart it may receive authorization for any provision of its program corresponding to a Federal provision in effect on the date of the State's authorization.

(b) States approved under this subpart are authorized to administer and enforce their hazardous waste program in lieu of the Federal program, except as provided below:

(1) Any requirement or prohibition which is applicable to the generation, transportation, treatment, storage, or disposal of hazardous waste and which is imposed pursuant to the Hazardous and Solid Waste Amendments of 1984 takes effect in each State having a finally authorized State program on the same date as such requirement takes effect in other States. These requirements and prohibitions are identified in § 271.1(j).

(2) The requirements and prohibitions in § 271.1(j) supersede any less stringent provision of a State program. The Administrator is authorized to

carry out each such Federal requirement and prohibition in an authorized State except where, pursuant to section 3006(b) or 3006(g)(2) of RCRA, the State has received final or interim authorization to carry out the particular requirement or prohibition. Violations of Federal requirements and prohibitions effective in authorized States are enforceable under sections 3008, 3013 and 7003 of RCRA.

(3) Until an authorized State program is revised to reflect the amendments made by the Hazardous and Solid Waste Amendments of 1984 and such program revisions receive final or interim authorization pursuant to section 3006(b) or 3006(g)(2) of RCRA, the Administrator shall have the authority in such State to issue or deny permits or those portions of permits affected by the requirements and prohibitions established by the Hazardous and Solid Waste Amendments of 1984.

(4) Any requirement imposed under the authority of the Hazardous Waste Electronic Manifest Establishment Act:

(i) Shall take effect in each State having a finally authorized State program on the same date as such requirement takes effect in other States;