



**U.S. AIR FORCE**

# **State Military Munitions Rule Summary Guide**

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## EXECUTIVE SUMMARY

Independent of federal regulation, the Department of Defense (DoD) has maintained its commitment to handle and store military munitions responsibly in order to minimize the potential for harm to human health and the environment. The Federal Facilities Compliance Act (FFCA) of 1992, which amended the Resource Conservation and Recovery Act (RCRA), required the U.S. Environmental Protection Agency (EPA), in consultation with DoD and the states, to publish regulations that specify when conventional and chemical military munitions become hazardous waste subject to Subtitle C of RCRA, and provide for the safe storage and transportation of such waste. As a result, EPA promulgated the federal Military Munitions Rule (MR) (62 FR 6621, February 12, 1997) on 12 August 1997.

The federal MR provides regulations that define when military munitions become waste and how these waste military munitions (WMM) are to be managed. EPA has the option to delegate RCRA program administration and enforcement authority to a state or territory. In turn, states or territories may either adopt the federal rule or develop their own state WMM regulations that are at least as stringent as those of the federal program. Therefore, compliance requirements for the Air Force pertaining to WMM differ from state to state or territory.

In an effort to assist project managers in complying with the WMM regulations for each state, AFCEE developed this document as a reference tool to summarize each state's military munitions RCRA program. This document is intended to illustrate the key differences between federal and state regulations that could have an impact on Air Force installation environmental flight operations. It is intended to assist Air Force personnel in making decisions regarding the management of Military Munitions.

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## USE OF THIS DOCUMENT

This document is intended to assist Air Force personnel in making decisions regarding the management of military munitions and implementing the Military Munitions Rule (MR) in their state. It summarizes the 1997 federal MR and the regulations pertaining to military munitions in each state. This document addresses differences between the federal rule and the regulations in each state, and identifies the possible impact of the state rules on Air Force installation environmental flight operations.

This guide is a living document intended to identify the issues to be aware of in each state pertaining to military munitions, solid waste and hazardous waste determination, storage, and transportation. It is not intended as a definitive source on implementation of the MR. For more detailed information, review the complete text of the appropriate state rule. Each state rule has been fully referenced in Appendix A and within each state section. In addition, DoD has developed a policy to implement the EPA's MR, which gives the DoD interpretation of the requirements of the rule and establishes a consistent, overarching policy for the management of waste military munitions (WMM).

AFCEE has organized this guide into two sections and an appendix as follows:

Section 1: Background

Section 2: State Military Munitions Regulations

Appendix A: State Rule References

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## ACRONYMS

<b>AAC</b>	Alaska Administrative Code
<b>AAR</b>	Arizona Administrative Register
<b>ADEM</b>	Alabama Department of Environmental Management
<b>ADEC</b>	Alaska Department of Environmental Conservation
<b>ADEQ</b>	Arizona Department of Environmental Quality
<b>APCEC</b>	Arkansas Pollution Control and Ecology Commission
<b>ARM</b>	Administrative Rules of Montana
<b>BRWM</b>	Bureau of Remediation and Waste Management (Maine)
<b>CCR</b>	California Code of Regulations
<b>CCR</b>	Colorado Code Regulations
<b>CDEP</b>	Connecticut Department of Environmental Protection
<b>CDPHE</b>	Colorado Department of Public Health and Environment
<b>CE</b>	Conditional Exemption
<b>CFR</b>	Code of Federal Regulations
<b>CMR</b>	Code of Massachusetts Regulation
<b>DDESB</b>	Department of Defense Science Board
<b>DNREC</b>	Delaware Department of Natural Resources and Environmental Control
<b>DoD</b>	Department of Defense
<b>DOH</b>	Department of Health
<b>DRGHW</b>	Delaware Regulations Governing Hazardous Waste
<b>DSHM</b>	Division of Solid and Hazardous Materials (New York)
<b>EOD</b>	Explosives Ordnance Disposal
<b>EPA</b>	Environmental Protection Agency
<b>EPD</b>	Environmental Protection Division (Georgia)
<b>FDEP</b>	Florida Department of Environmental Protection
<b>FFCA</b>	Federal Facility Compliance Act
<b>GDNR</b>	Georgia Department of Natural Resources
<b>GEPA</b>	Guam Environmental Protection Agency
<b>HAC</b>	Hawaii Administrative Code
<b>HDOH</b>	Hawaii Department of Health
<b>HMWMD</b>	Hazardous Materials and Waste Management Division (Colorado)
<b>HWCS</b>	Hazardous Waste Compliance Section (New Hampshire)
<b>IAC</b>	Illinois Administrative Code
<b>IAC</b>	Indiana Administrative Code
<b>IAC</b>	Iowa Administrative Code
<b>IDAC</b>	Idaho Administrative Code
<b>IDEQ</b>	Idaho Department of Environmental Quality
<b>IDEM</b>	Indiana Department of Environmental Management
<b>IDNR</b>	Iowa Department of Natural Resources
<b>ILEPA</b>	Illinois Environmental Protection Agency
<b>KAR</b>	Kentucky Administrative Rules
<b>KDEP</b>	Kentucky Department of Environmental Protection
<b>KDHE</b>	Kansas Department of Health and Environment
<b>LAC</b>	Louisiana Administrative Code

<b>LDEQ</b>	Louisiana Department of Environmental Quality
<b>MDE</b>	Maryland Department of the Environment
<b>MDEP</b>	Maine Department of Environmental Protection
<b>MDEQ</b>	Michigan Department of Environmental Quality
<b>MDEQ</b>	Mississippi Department of Environmental Quality
<b>MDEQ</b>	Montana Department of Environmental Quality
<b>MDNR</b>	Missouri Department of Natural Resources
<b>MPCA</b>	Minnesota Pollution Control Agency
<b>MR</b>	Military Munitions Rule
<b>NAC</b>	Nevada Administrative Code
<b>NCAC</b>	North Carolina Administrative Code
<b>NCDENR</b>	North Carolina Department of Environment and Natural Resources
<b>NDCC</b>	North Dakota Century Code
<b>NDEP</b>	Nevada Department of Environmental Protection
<b>NDEQ</b>	Nebraska Department of Environmental Quality
<b>NJAC</b>	New Jersey Administrative Code
<b>NJDEP</b>	New Jersey Department of Environmental Protection
<b>NMAC</b>	New Mexico Administrative Code
<b>NMED</b>	New Mexico Environment Department
<b>NYDEC</b>	New York State Department of Environmental Control
<b>OAC</b>	Ohio Administrative Code
<b>OAR</b>	Oregon Administrative Rules
<b>ODEQ</b>	Oklahoma Department of Environmental Quality
<b>ODEQ</b>	Oregon Department of Environmental Quality
<b>OEPA</b>	Ohio Environmental Protection Agency
<b>OEQC</b>	Oklahoma Environmental Quality Code
<b>OEQC</b>	Oregon Environmental Quality Council
<b>PDEP</b>	Pennsylvania Department of Environmental Protection
<b>RCRA</b>	Resource Conservation Recovery Act
<b>RCSA</b>	Regulations of Connecticut State Agencies
<b>SCDHEC</b>	South Carolina Department of Health and Environmental Control
<b>SDAR</b>	South Dakota Administrative Rules
<b>SDDENR</b>	South Dakota Department of Environment and Natural Resources
<b>TAC</b>	Texas Administrative Code
<b>TCEQ</b>	Texas Commission on Environmental Quality
<b>TDEC</b>	Tennessee Department of Environment and Conservation
<b>UXO</b>	Unexploded Ordnance
<b>VAC</b>	Virginia Administrative Code
<b>VANR</b>	Vermont Agency of Natural Resources
<b>VDEQ</b>	Virginia Department of Environmental Quality
<b>VEPR</b>	Vermont Environmental Protection Rules
<b>WAC</b>	Washington Administrative Code
<b>WAC</b>	Wisconsin Administrative Code
<b>WDEC</b>	Washington Department of Ecology
<b>WDNR</b>	Wisconsin Department of Natural Resources
<b>WMM</b>	Waste Military Munitions

## SECTION 1: BACKGROUND

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### 1.1 MILITARY MUNITIONS RULE (MR)

On 12 February 1997, EPA promulgated the federal MR as a final rule (62 FR 6621). The MR became effective on 12 August 1997. The regulatory structure of the MR reflects EPA's recognition that military munitions are different from other forms of industrial waste. In promulgating the MR, EPA elected to place the regulations applicable to waste military munitions in a new Subpart M of 40 CFR §266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities. This approach is consistent with other rulemakings where EPA regulated the activities of specific industries (e.g., the reclamation of spent lead-acid batteries) or the management of specific wastes (e.g., recyclable materials used in a manner constituting disposal), and allowed EPA to develop tailored regulations specifically addressing the management, transportation, and storage of WMM.

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#### **The two most important provisions of the federal MR include addressing emergency responses to incidents involving munitions or explosives and the promulgation of a new RCRA unit standard for the storage of waste munitions or explosives**

Other aspects of the federal MR address the management of all munitions and explosives, both military and non-military. The two most important provisions of the federal MR include emergency responses to incidents involving munitions or explosives and the promulgation of a new RCRA unit standard for the storage of waste munitions or explosives. Because of their wider applicability, these provisions are incorporated into the current RCRA regulations found at 40 CFR Parts 260–272.

After the promulgation of the MR, DoD published *The DoD Policy to Implement the EPA's Military Munitions Rule*, which established consistent, DoD-wide policy for the management of WMM and interpreted the requirements of the federal MR.

## 1.2 AIR FORCE IMPACT

The federal MR has varying degrees of impact across Air Force operations. For example, the MR provisions establishing when used or fired munitions become solid waste adopted removing these items from the range as a trigger for RCRA compliance. This provision presents significant challenges for range managers. The MR affects Explosives Ordnance Disposal (EOD) personnel in two ways: first by exempting them from many RCRA requirements during the conduct of an explosives or munitions emergency response, and second by establishing a RCRA-enforceable requirement to keep records of those responses.

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### **The federal MR has varying degrees of impact across Air Force**

The MR also has an impact on flight operations. If, during the course of training, a munition is fired or dropped off-range, the flight crew must realize and report that fact to the proper command authorities. The reason is simple: a munition fired or dropped off range becomes waste if a response to render it safe and/or retrieve it is not promptly undertaken.

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### **The MR established clear standards for managing military munitions**

There are a number of specific impacts to operations at Air Force installations. First, the MR establishes clear standards for when military munitions are not solid waste subject to management under RCRA. Prior to promulgation of the MR, EPA and the states often expressed inconsistent interpretations of when munitions became waste. With the MR, EPA clearly established that the use of munitions in training or testing is not a waste management activity. The MR also clearly established that the recovery, collection, and destruction of munitions on-range during range clearance activities at active or inactive ranges is not waste management. This latter provision is important because the Air Force routinely clears active ranges of unexploded ordnance (UXO) to address safety concerns. Because the MR also defines used or fired munitions (including UXOs) as waste when they are removed from the range, planning and executing these activities must include actions to avoid the inadvertent creation of a hazardous waste.

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**The federal MR established a clear point at which a munition becomes a solid, and probably a hazardous, waste**

In the area of managing unused munitions, the federal MR again established a clear point at which a munition becomes a solid, and probably, a hazardous waste. As with defining when munitions are not waste, prior to promulgation of the MR, EPA and the states often expressed inconsistent interpretations of when unused munitions became waste. This provision has the greatest impact on ammunition management operations, as the munitions will most likely be in storage when they become classified as waste. Normally, the storage and transportation of hazardous waste is subject to extensive management standards under RCRA; however, because of DoD's explosive safety standards and excellent track record, EPA created a new "conditional exemption (CE)" for the management of waste munitions. Basically, under the CE an Air Force installation simply must comply with DoD regulations for the management of all munitions. If they do this, then waste munitions do not need to be managed under RCRA regulations. EPA took an important step in this area by recognizing DoD's explosive safety expertise and giving DoD a way to avoid unnecessary regulation, while retaining the ability to direct better management if an installation fails to meet DoD's own regulations.

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**The MR has the greatest impact to the Air Force in the management of used or fired munitions**

The area where the MR probably has the greatest impact to the Air Force is in the management of used or fired munitions. Because the use of munitions is essential to effective training, there will continue to be requirements to manage used or fired munitions into the foreseeable future. In the MR, EPA established a clear definition for when used or fired munitions become waste subject to management under RCRA. Air Force installations involved in these activities must carefully plan and execute the management of used or fired munitions to avoid unnecessarily triggering compliance requirements and to ensure these requirements are met if they are triggered.

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**The MR may impact the Air Force in the management of closed ranges on active installations**

The final area where the MR may impact the Air Force is in the management of closed ranges on active installations and the plans to transfer ranges from DoD control. In the proposed MR, EPA sought to have munitions on closed or transferred ranges declared waste subject to EPA or state regulatory agency directed cleanup. While EPA has not yet finalized this provision of the MR, the State of Washington adopted this provision as part of their “Dangerous Waste” regulations (the state analog to the federal RCRA regulations). Other states may follow suit, and EPA may also elect to finalize that element of the MR at a later date. If this occurs, great care must be taken in planning for the closure or transfer of a range.

In summary, the two most important points to understanding the impact of the MR on the Air Force are:

- ◆ If a job requires involvement with munitions, it may involve the MR, and
- ◆ MR compliance is not just an “environmental job” – it requires the combined effort and expertise of many different organizations.

## SECTION 2: STATE MILITARY MUNITIONS REGULATIONS

This section provides an overview of the status of federal MR adoption in each state, the state's definition of solid and hazardous waste, and any issues that specifically impact the state (for the purpose of this document, the term "state" also includes the District of Columbia and Guam). Following this overview is a table comparing the state MR with the federal MR on key provisions. Please note that these summaries and tables are intended to help project managers identify potential issues; they are not a definitive source on Air Force compliance with military munitions regulations. If you have any questions about the impact on your operation, contact your installation's legal counsel.

### 2.1 HOW TO USE THIS SECTION

AFCEE reviewed each state rule for incorporation of the federal MR or the existence of state-specific military munitions regulations. Each state chose to do one or more of the following:

- ◆ Adopted or incorporated the federal rule by reference;
- ◆ Adopted the federal rule in its entirety by copying it word for word;
- ◆ Incorporated the federal rule, but reworded it (or sections of it) without changing the meaning to be consistent with the state's preferred format or language;
- ◆ Amended the federal rule and developed their own state-specific military munitions regulation that is either *more stringent* than, or equal to, the federal rule; and/or
- ◆ Neither adopted the federal rule nor developed their own rule as of February 2004.

Table 2-1 provides a summary of which states have adopted the MR and/or implemented their own state-specific rules. The table in Appendix A provides information on where to obtain the state rule for more in-depth review.

Table 2-1: State Military Munitions Rule vs. Federal MR Adoption and Citation

MILITARY MUNITIONS RULE	FEDERAL ADOPTION	DEVELOPED SPECIFIC STATE RULE	STATE LAW / REGULATION
Alabama	Yes	Yes	ADEM 355-14-13, 355-14-6-31
Alaska	Yes	No	ADEC, Alaska Solid Waste Division, AAC Title 18, Chapter 62, Articles 1
Arizona	Yes	No	ADEQ AAR Title 18, Chapter 8, Parts 260–266, and 270
Arkansas	Yes	No	APCEC, Hazardous Waste Division, Regulation 23
California*	No	No	California Code of Regulations, Title 22, Division 4.5
Colorado	Yes	Yes	HMWMD 6 CCR, Sections 1007-3, Parts 260–265 and Part 267
Connecticut	Yes	No	RCSA Section 22a-449(c)-100–106, and 110
Delaware	Yes	No	DRGHW Parts 122, 260–266 (Subpart M), and 268
District of Columbia	Yes	No	DCDOH, Title 20, Subtitle E, Chapters 4100–4600 and 5400
Florida	Yes	No	FLDEP Waste Management Division, Chapter 62-730
Georgia	Yes	No	Georgia Environmental Regulations, Chapter 391-3-11
Guam*	No	No	GCA Title 10, Chapter 51
Hawaii	Yes	No	HDOH, HAC, Title 11, Chapters 260–266, and 270
Idaho	Yes	No	IDEQ, IDAC, Chapter 58.01.05
Illinois	Yes	Yes	ILEPA, IAC, Title 35, Subtitle G: Waste Disposal
Indiana	Yes	Yes	IDEM, IAC, Title 329, Article 3.1
Iowa	Yes	No	IDNR, IAC, Title 567, Chapter 141.1–6, .8, and .14
Kansas	Yes	No	KDHE, Bureau of Waste Management, Chapter 28-31-1–4, -6, -8, and -9
Kentucky	No	Yes	KDEP, KAR, Title 401, Chapters 30–36, and 38
Louisiana	Yes	Yes	LDEQ, LAC, Title 33 Part V, Chapter 53
Maine*	No	No	MDEP, BRWM Rules, Title 38, Chapters 850–857
Maryland	Yes	No	MDE, Division of Waste Management, Title 26, Subtitle 13, Chapters 1–7 and 10
Massachusetts*	No	No	MDEP, Bureau of Waste Prevention, CMR, Title 310, Section 30.000
Michigan	Yes	Yes	MDEQ, MAR, Part 111, R299
Minnesota*	No	No	MPCA, MN state rules, Chapter 7045
Mississippi	Yes	No	MDEQ, Parts 260-266, and 270
Missouri	Yes	Yes	MDNR, Hazardous Waste Regulations Title 10, Chapter 3-7
Montana	Yes	Yes	MDEQ, ARM Title 17, Chapter 53 – Hazardous Waste
Nebraska*	No	No	NDEQ, Title 128, Chapter 1-3, 6-13, and 14
Nevada*	No	No	NDEP, Bureau of Waste Management, NAC Chapter 459
New Hampshire*	No	No	HWCS, Part Env-Wm, Chapters 110, 211, 353, 400, 500, 600, 700, and 900
New Jersey	Yes	No	NJDEP, NJAC Section 7:26G-4.1-10.1, and 12.1
New Mexico	Yes	No	NMED, Solid and Hazardous Waste Bureau, Chapter 4, Part 1
New York	Yes	Yes	NYDEC, DSHM Title 6 Parts 371-374 and, 364
North Carolina	Yes	Yes	NCDENR 15A NCAC 13A Parts .0102, .0106, .0111, and .0113
North Dakota*	No	No	North Dakota DOH, Division of Waste, NDCC Chapter 33-24-01 - 33-24-07
Ohio*	No	No	OEPA, OAC Section 3745, Parts 50-54, 65, and 248
Oklahoma	Yes	No	ODEQ, Land Protection Division, Title 252, Chapter 205
Oregon	Yes	Yes	ODEQ, OAR Chapter 340, Division 100-105.
Pennsylvania	Yes	Yes	PDEP, Title 25, Part I, Subpart D, Article VII
Rhode Island*	No	No	Rhode Island Hazardous Waste Mgmt Rules & Regulations, Sections 1.00–13.00
South Carolina	Yes	No	SCDHEC, Bureau of Land and Waste Management, Chapter 61
South Dakota	Yes	No	SDDENR, SDAR Article 74:28:21–34
Tennessee	Yes	No	TDEC, Chapter 1200-1-11, Sections .01-.09
Texas	Yes	Yes	TNRCC Rules, Chapter 335, Subparagraph H, Division 6
Utah*	No	No	Utah Hazardous Waste Rules 315-1–R315-9 and R315-12–R315-14
Vermont*	No	No	VANR, VEPR, Chapter 7, Subchapters 1-7
Virginia	Yes	Yes	VDEQ, Waste Management Division, VAC Title 9, Chapter 60
Washington	Yes	Yes	WDEC, Dangerous Waste Division, WAC Chapter 173-303,
West Virginia	Yes	No	WVDEP, Office of Waste Management, Title 33, Series 20
Wisconsin*	No	No	WDNR, WAC Chapter NR 600-690
Wyoming*	No	No	Wyoming Hazardous Waste Rules, Chapters 1–14

\*For those states that have not adopted the federal rule or enacted their own state-specific rules, the State Law / Regulation column identifies the citation for the state’s general hazardous waste rules.

## ALABAMA

Changes made to Web and contact info in Annex.

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### *GENERAL*

The Land Division of the Hazardous Waste program for the Alabama Department of Environmental Management (ADEM) administers and enforces the State of Alabama's RCRA hazardous waste program. ADEM has adopted the federal MR by copying the federal regulations word for word, but has also developed a state MR.

Alabama's hazardous waste program regulations can be found in Chapter 335 - Hazardous Waste Regulations, Division 14 of the Code of Alabama under statutory authority 1975, § 22-30-11. These regulations were amended in 1988, 1989, 1995, 1996, 1997, 1998, 1999, and 2000.

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### *DEFINITION OF A SOLID WASTE*

Alabama has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter 335-14-2-.01(2).

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### *DEFINITION OF A HAZARDOUS WASTE*

Alabama has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Chapter 335-14-2-.01(3).

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### *STATE-SPECIFIC ISSUES*

Alabama has adopted the federal rule and copied it word for word; therefore, there are no state-specific issues pertaining to WMM.

## ALABAMA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	335-14-1 335-14-1	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	335-14-2-.01(2)	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	335-14-3 335-14-3	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	335-14-4	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	335-14-5 335-14-5 335-14-5 335-14-5 335-14-5 335-14-5	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	335-14-6 335-14-6 335-14-6 335-14-6 335-14-6 335-14-6	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	335-14-7.13 335-14-7.13 335-14-7.13 335-14-7.13 335-14-7.13 335-14-7.13 335-14-7.13	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	335-14-8 335-14-8 335-14-8	None None None

## ALASKA

Changes made to Web and contact info in Annex.

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### *GENERAL*

Alaska has adopted the federal MR by reference, and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the hazardous waste program. The Waste Management Division of the Alaska Department of Environmental Conservation (ADEC) administers and enforces the State of Alaska's hazardous waste regulations.

Military munitions regulations for the State of Alaska are located within the state's hazardous waste regulations. They can be found in Title 18, Chapter 62, Articles 1, 2, 3, 4, 5, and 7 of the Alaska Administrative Code (AAC).

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### *DEFINITION OF A SOLID WASTE*

Alaska has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Title 18, Chapter 62, Article 1 Section 20 of the AAC.

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### *DEFINITION OF A HAZARDOUS WASTE*

Alaska has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Title 18, Chapter 62, Article 1 Section 20 of the AAC.

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### *STATE-SPECIFIC ISSUES*

Alaska has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## ALASKA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	Title 18-62.1.10 Title 18-62.1.10	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	Title 18-62.1.20	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	Title 18-62.2.200 Title 18-62.2.210	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	Title 18-62.3.300	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400 Title 18-62.4.400	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	Title 18-62.5.511 Title 18-62.5.511 Title 18-62.5.511 Title 18-62.5.511 Title 18-62.5.511 Title 18-62.5.511 Title 18-62.5.511	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	Title 18-62.7.700 Title 18-62.7.710 Title 18-62.7.700	None None None

## ARIZONA

No changes.

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### *GENERAL*

Arizona has adopted the federal MR by reference, and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Hazardous Waste Section of the Waste Management Division, which is a division of the Arizona Department of Environmental Quality (ADEQ). The ADEQ is authorized to administer and enforce the Arizona hazardous waste program.

Military munitions regulations for the State of Arizona are located within the Arizona hazardous waste regulations. They can be found in Title 18, Chapter 8, Parts 260–266, and 270 of the Arizona Administrative Register (AAR).

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### *DEFINITION OF A SOLID WASTE*

Arizona has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 18-8-261 of the AAR.

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### *DEFINITION OF A HAZARDOUS WASTE*

Arizona has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 18-8-261 of the AAR.

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### *STATE-SPECIFIC ISSUES*

Arizona has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## ARIZONA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	R18-8-260 R18-8-260	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	R18-8-261	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	R18-8-262 R18-8-262	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	R18-8-263	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	R18-8-264 R18-8-264  R18-8-264 R18-8-264 R18-8-264	None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	R18-8-265 R18-8-265 R18-8-265  R18-8-265 R18-8-265 R18-8-265	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted  Adopted Adopted	R18-8-266 R18-8-266 R18-8-266 R18-8-266 R18-8-266  R18-8-266 R18-8-266	None None None None None  None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	R18-8-270  R18-8-270 R18-8-270	None  None None

## ARKANSAS

No changes.

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### *GENERAL*

Arkansas has adopted the federal MR by copying it word for word into their state regulations. Arkansas has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Hazardous Waste Division of the Arkansas Pollution Control and Ecology Commission (APCEC). The Arkansas Department of Environmental Quality (ADEQ), in coordination with the APCEC, maintains and administers the hazardous waste management regulations, which serve as the basis for administration of the state's hazardous waste management program.

Military munitions regulations for the State of Arkansas are located within the APCEC regulations, entitled Regulation 23 of the Hazardous Waste Division.

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### *DEFINITION OF A SOLID WASTE*

Arkansas adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Regulation 23 §261.2.

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### *DEFINITION OF A HAZARDOUS WASTE*

Arkansas adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Regulation 23 §261.3.

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### *STATE-SPECIFIC ISSUES*

Arkansas adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## ARKANSAS

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	Reg. 23 § 260.1 Reg. 23 § 260.10	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	Reg. 23 § 261.2	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	Reg. 23 § 262.10 Reg. 23 § 262.20	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	Reg. 23 § 263.10	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Reg. 23 § 264.1 Reg. 23 § 264.70 Reg. 23 § 264.1200 Reg. 23 § 264.1201 Reg. 23 § 264.1202	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Reg. 23 § 265.1 Reg. 23 § 265.70 Reg. 23 Subpart EE Reg. 23 § 265.1200 Reg. 23 § 265.1201 Reg. 23 § 265.1202	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	Reg. 23 Subpart M Reg. 23 § 266.200 Reg. 23 § 266.201 Reg. 23 § 266.202 Reg. 23 § 266.203 Reg. 23 § 266.204 Reg. 23 § 266.205 Reg. 23 § 266.206	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	Reg. 23 § 270.1 Reg. 23 § 270.2 Reg. 23 § 270.42	None None None

## CALIFORNIA

CalEPA Web page identifies Public Notice of proposed rule March 2001; current information from 2003 Rulemaking Calendar for Dept. of Toxic Substance Control indicates rule as of 10/03 has not been adopted. Changes made to contact information in Annex.

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### *GENERAL*

California has not adopted the federal MR, nor have they finalized any state-specific military munitions regulations. At present, California regulates military munitions through their current hazardous waste management rules. California's hazardous waste rules are located under Title 22, Division 4.5 of the California Code of Regulations, hazardous waste management system.

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### *DEFINITION OF A SOLID WASTE*

California has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Title 22, Division 4.5, Chapter 11.

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### *DEFINITION OF A HAZARDOUS WASTE*

California has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Title 22, Division 4.5, Chapter 11.

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### *STATE-SPECIFIC ISSUES*

On 15 March 2001 the State of California released a draft of a proposal to adopt the regulations pursuant to the EPA Military Munitions Rule (draft regulation 97-20). These regulations change Title 22, California Code of Regulations, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste. It is important to note that these regulations have not yet been adopted.

California's proposal largely adopts the federal MR; however, there are some notable changes. First, the proposal defines a "Non-military shooting range" as a designated place used for shooting

firearms for the purpose of firearms familiarization, firearms practice, firearms research and development, or firearms competition. A non-military shooting range can be outside or in an enclosed structure. A non-military shooting range does not include shooting ranges operated by the military, owned by the military, or operated by a contractor for the military. Second, the proposal places many additional requirements on explosives or munitions emergency responses, stating:

*Except as specified in subparagraph (g)(8)(A)4.d. of this section, and to clarify what constitutes an immediate threat situation for the purposes of sections 66264.1, 66265.1, and 66270.1, an immediate threat to human health, public safety, property, or the environment, from the known or suspected presence of military munitions, other explosive material, or an explosive device, as determined by an explosive or munitions emergency response specialist as defined in section 66260.10.*

*a. An immediate threat situation shall be presumed to exist if:*

- 1. there is a known or suspected presence of military munitions, other explosive material, or an explosive device;*
- 2. there is a likelihood of human exposure; and*
- 3. there is a likelihood of detonation.*

*b. In the case of an explosives or munitions immediate threat situation, if a Federal, State, Tribal or local official acting within the scope of his or her official responsibilities, or an explosives or munitions emergency response specialist, determines that immediate transport of the material or waste is necessary to protect human health or the environment, that official or specialist may authorize the transport of the material or waste by other than a registered hazardous waste transporter and without having to comply with hazardous waste manifest requirements. In the case of emergencies involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years identifying the dates of the response, the responsible persons responding, the type and Description of material addressed, and its disposition.*

*c. In an immediate threat situation, the person responsible for the munitions or explosive materials shall, within 5 calendar days of the determination, do each of the following:*

- 1. Mail or otherwise distribute a notice to nearby residents, businesses, appropriate local agencies, and other interested parties, providing the name and address of the person responsible for the munitions or explosive materials, a brief description of the wastes involved, and a brief description of the action taken or to be taken and a brief explanation of why the situation was an emergency; and*
- 2. Send to the Department a dated sample of the notice that was mailed to nearby residents, businesses and other interested parties, providing the information specified above, and a list of those to whom it was sent.*

*d. If it is determined that an immediate threat situation does not exist, and that an emergency permit or other authorization for management of the waste may be required, the person responsible for the munitions or explosive materials shall immediately notify the Department of the situation, and provide the information indicated below, prior to conducting any waste treatment activities. The Department shall review this information and make a case-by-case determination if an emergency permit or other form of authorization will be required to authorize the management of the munitions or explosive materials.*

- 1. A description of the situation;*
- 2. The contact person and telephone number;*
- 3. A description of the waste, including how the waste was generated, and what makes each item in the inventory unstable such that an emergency permit for onsite management would be necessary;*
- 4. Why it is an emergency situation that cannot be dealt with through the normal permitting process;*
- 5. The general environmental setting;*
- 6. A description of feasible alternatives, including the feasibility of treatment of the waste, both onsite and offsite, including but not limited to the use of the best demonstrated available technology (BDAT) for that waste;*
- 7. A description of potential effects under each of the identified alternatives;*
- 8. The geographic area of potential human health and public safety effects under each of the identified alternatives;*
- 9. The geographic area of potential property and environmental effects under each of the identified alternatives;*
- 10. Proposed mitigation measures for any effects;*

11. *A list of any other governmental agency permits that would be required for this particular situation;*
  12. *A mailing or distribution list of all residents, businesses, appropriate local agencies, and other interested parties within the potentially affected areas identified in subparagraphs 8 and 9, above.*
- e. *If an emergency permit pursuant to section 66270.61, or a permit pursuant to Health and Safety Code section 25200 will be required, the Department shall select and approve the waste management technology, and all actions will be conducted in compliance with section 66270.61.*

These provisions, if adopted, place a much greater burden on military EOD teams. Third, the proposal modifies the provision found at 40 CFR 266.202(b)(3) to state:

*The munition is deteriorated or damaged (e.g., the integrity of the munition is compromised by cracks, leaks, or other damage) to the point that it cannot be put into serviceable condition, and cannot reasonably be recycled or used for other purposes; or it has exceeded the shelf life specified for that munition pursuant to DOD Document 4140.27-M, Shelf-Life Management Manual, and the munition has not been inspected, tested, restored or re-designated into re-use account within the timeframe specified by DOD Document 4140.27-M;*

The use of shelf-life exceedence as a trigger from the management of munitions as waste will place a much greater burden on Air Force munitions managers. The DoD will likely seek to have this provision modified.

Until the proposed rule is finalized in California, the state must follow the federal rule. In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by

explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent*, are available only if the state law is not *more stringent* than the federal standard. Provisions of the MR deemed *more stringent* are effective immediately at the federal level and states must adopt similar (or *more stringent*) requirement under state law.

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## COLORADO

Updated Table 2-1 and state table for citation changes and made changes to Web and contact info in Annex.

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### *GENERAL*

Colorado has adopted only portions of the federal MR by reference. The provisions of the MR are regulated under the Hazardous Materials and Waste Management Division (HMWMD), which is a division of the Colorado Department of Public Health and Environment (CDPHE). CDPHE is authorized to administer and enforce the State of Colorado's RCRA hazardous waste program.

Military munitions regulations for the State of Colorado are located within the CDPHE waste regulations. Colorado's hazardous waste program regulations can be found in HMWMD Section 1007-3, Parts 260–265 and 267.

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### *DEFINITION OF A SOLID WASTE*

Colorado has adopted the federal definition of a solid waste, but military munitions are not included as part of that definition. The state reference to the definition can be found in HMWMD 1007-3, Part 261.2.

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### *DEFINITION OF A HAZARDOUS WASTE*

Colorado has adopted the federal definition of a hazardous waste, but military munitions are not included. The state reference to the definition can be found in HMWMD 1007-3, Part 261.3.

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### *STATE-SPECIFIC ISSUES*

Colorado has not adopted 40 CFR 264, Subpart EE, Hazardous Waste Munitions and Explosives Storage, nor have they adopted 40 CFR Part 265, Subpart EE, Hazardous Waste Munitions and Explosives Storage.

## COLORADO

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Amended	1007-260.1 1007-260.10	None There is no definition for "explosives or munitions emergency, or explosives or munitions emergency response."
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Amended	1007-261.2	Military munitions were not mentioned.
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	1007-262.10 1007-262.20	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	1007-263.10	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability  <input checked="" type="checkbox"/> 264.70 Applicability <input type="checkbox"/> Subpart EE--Hazardous Waste Munitions and Explosives Storage <input type="checkbox"/> 264.1200 Applicability <input type="checkbox"/> 264.1201 Design and Operating Standards <input type="checkbox"/> 264.1202 Closure and Post-Closure Care	Amended  Adopted  Not Adopted Not Adopted Not Adopted	1007-264.1  1007-264.10	264.1 (g)(8)(iv) amended to: "In case of emergencies involving military munitions the responding military emergency response specialists' organizational unit must retain records for three years identifying the dates of the response, the responsible persons responding, the type and description of material addressed and its disposition." None No Reference No Reference No Reference No Reference
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input type="checkbox"/> Subpart EE--Hazardous Waste Munitions and Explosives Storage <input type="checkbox"/> 264.1200 Applicability <input type="checkbox"/> 264.1201 Design and Operating Standards <input type="checkbox"/> 264.1202 Closure and Post-Closure Care	Amended Adopted Not Adopted  Not Adopted Not Adopted Not Adopted	1007-265.1 1007-265.10	Same as 264.1 None No Reference  No Reference No Reference No Reference
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M--Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Reworded Reworded Adopted Adopted Reserved  Reserved  Reserved Reserved	1007-267 Subpart M 1007-267.200 1007-267.201 1007-267.202 1007-267.203  1007-267.204  1007-267.205 1007-267.206	None None None None This section reserved for future rule.  This section reserved for future rule.  This section reserved for future rule. This section reserved for future rule.

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	 Reworded  Reworded Reworded	 1007-100  1007-100 1007-100	 None  None None

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## CONNECTICUT

Updated citations in Table 2-1.

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### *GENERAL*

Connecticut has adopted the federal MR by reference, and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the state's Hazardous Waste, which is a Division of the Connecticut Department of Environmental Protection (CDEP). The CDEP is authorized to administer and enforce Connecticut's hazardous waste regulations.

Military munitions regulations for the State of Connecticut are contained in the hazardous waste program regulations of the Regulations of Connecticut State Agencies (RCSA). They can be found in Section 22a-449(c)-100, 101, 102, 103, 104, 105, 106, and 110.

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### *DEFINITION OF A SOLID WASTE*

Connecticut has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Section 22a-449(c)-101.

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### *DEFINITION OF A HAZARDOUS WASTE*

Connecticut has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Section 22a-449(c)-101.

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### *STATE-SPECIFIC ISSUES*

Connecticut has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## CONNECTICUT

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	22a-449(c)-100 22a-449(c)-100	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	22a-449(c)-101	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	22a-449(c)-102 22a-449(c)-102	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	22a-449(c)-103	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	22a-449(c)-104 22a-449(c)-104  22a-449(c)-104 22a-449(c)-104 22a-449(c)-104	None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	22a-449(c)-105 22a-449(c)-105 22a-449(c)-105  22a-449(c)-105 22a-449(c)-105 22a-449(c)-105	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted  Adopted Adopted Adopted	22a-449(c)-106 22a-449(c)-106 22a-449(c)-106 22a-449(c)-106 22a-449(c)-106  22a-449(c)-106 22a-449(c)-106 22a-449(c)-106	None None None None None  None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	22a-449(c)-110  22a-449(c)-110 22a-449(c)-110	None  None None

## DELAWARE

Change to amendment date below, updated citation in Table 2-1, changes to Web and contact info in Annex.

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### *GENERAL*

Delaware has adopted the federal MR by copying it word for word and inserting it into their state regulations. The provisions of the MR are regulated under the Solid and Hazardous Waste Management Branch of the Delaware Department of Natural Resources and Environmental Control (DNREC). DNREC is authorized to administer and enforce the Delaware RCRA hazardous waste program.

Military munitions regulations for the State of Delaware can be found in Parts 122, 260–266 (Subpart M), and 268 of the Delaware Regulations Governing Hazardous Waste (DRGHW). These rules were last amended in June 2001.

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### *DEFINITION OF A SOLID WASTE*

Delaware has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in DRGHW Part 261.2.

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### *DEFINITION OF A HAZARDOUS WASTE*

Delaware has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in DRGHW Part 261.3.

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### *STATE-SPECIFIC ISSUES*

Delaware adopted the federal rule and copied it word for word; therefore, there are no state-specific issues pertaining to WMM.

## DELAWARE

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	260.1 260.2	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	261.2	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	262.10 262.20	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	263.10	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	264.1 264.70 EE 264.1200 264.1201 264.1202	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	265.1 265.70 EE 265.1200 265.1201 265.1202	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	M 266.200 266.201 266.202 266.203 266.204 266.205 266.206	None None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	122 122 122	None None None

## DISTRICT OF COLUMBIA

Changed title from Washington, DC to District of Columbia; updated text for name change and correct government agency; updated Web and contact info in Annex.

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### *GENERAL*

The District of Columbia (DC or District) has adopted the federal MR by copying the federal rule into the district's regulations. The District has not developed any additional state-specific military munitions regulations. The provisions of the MR are regulated by the Hazardous Waste Division of the Environmental Health Administration, Department of Health (DOH). Military munitions regulations for the District can be found in Title 20, Subtitle E – Hazardous Waste, Chapters 4100–4600 and 5400.

The District's regulations are not available for free online. They may be purchased online on the DOH Web site.

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### *DEFINITION OF A SOLID WASTE*

Solid waste in the District is described as a discarded material, and military munitions are described as discarded materials. This District reference to the definition of a solid waste can be found in Title 20, Chapter 4100.6.

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### *DEFINITION OF A HAZARDOUS WASTE*

The District has amended the federal definition of a hazardous waste by including burial sites, in addition to ranges, in the definition describing transporting military munitions. This District reference can be found in Title 20-E-4100.5.

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### *STATE-SPECIFIC ISSUES*

The District has adopted the majority of the federal MR by copying it word for word. They have added a few amendments to the federal rule that may affect Air Force operations. Within the District, a District official, in addition to a military official, is authorized to declare a munition a solid waste. The District may

also have added a provision that states “US Code proscribes storage of military munitions within 3 miles of the US Capitol”; however, a reference to this cannot be found in the US Code. If you believe this provision may apply to your operation, please contact your installation’s legal department.

## DISTRICT OF COLUMBIA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	Title 20-E-5400.1 Title 20-E-5400.1	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Amended	Title 20-E-4100.5	The District has included burial sites in addition to ranges in the definition describing transporting military munitions.
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	Title 20-E-4200.9 Title 20-E-4200.9	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	Title 20-E-4300.6-.7	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted No Reference Adopted Adopted Adopted Adopted	Title 20-E-4400.7,10 Title 20-E-4495.0 Title 20-E-4495.1 Title 20-E-4495,2-.7 Title 20-E-4495.8,.9	“District” is used instead of “state” None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted No Reference Adopted Adopted Adopted Adopted	Title 20-E-4400.7,10 Title 20-E-4495.0 Title 20-E-4495.1 Title 20-E-4495,2-.7 Title 20-E-4495.8-.9	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste  <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions  <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Amended Adopted Adopted Amended Adopted	Title 20-E-4512.0 Title 20-E-4512.1-.3 Title 20-E-4512.3-.6 Title 20-E-4512.7 Title 20-E-45.12.8 Title 20-E-4512.8 Title 20-E-4512.10	None None None A munition can be declared a solid waste by a District Official in addition to a military official None None All of 40 CFR 266.205 has been copied word for word from the federal rule; however, Washington, D.C. has added the following clause: “U.S. Coded proscribes storage of military munitions within 3 miles of the U.S. Capitol” None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted No Reference Adopted	Title 20-E-4600.8-.9 Title 20-E-4617.14	None None

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## FLORIDA

Changes to Web and contact info in Annex.

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### *GENERAL*

Florida has adopted the federal MR by reference, and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Division of Waste Management of the Florida Department of Environmental Protection (FDEP). The FDEP is authorized to administer and enforce the Florida RCRA hazardous waste program.

Military munitions for the State of Florida are located within the Florida hazardous waste program regulations. They can be found in Chapter 62-730 of the Hazardous Waste Rules.

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### *DEFINITION OF A SOLID WASTE*

Florida has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter 62-730.030.

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### *DEFINITION OF A HAZARDOUS WASTE*

Florida has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Chapter 62-730.030.

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### *STATE-SPECIFIC ISSUES*

Florida has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## FLORIDA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	62-730.010 62-730.020	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	62-730.030	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	62-730.160 62-730.160	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	62-730.170	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	62-730.R180 62-730.R180 62-730.R180 62-730.R180 62-730.R180 62-730.R180	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	62-730.R180 62-730.R180 62-730.R180 62-730.R180 62-730.R180 62-730.R180	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	62-730.R181 62-730.R181 62-730.R181 62-730.R181 62-730.R181 62-730.R181 62-730.R181	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: the Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	62-730.220 62-730.220 62-730.220	None None None

## GEORGIA

Changes to Web and contact info in Annex.

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### *GENERAL*

Georgia has adopted the federal MR by incorporating the federal rule by reference. They have not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Environmental Protection Division (EPD) of the Georgia Department of Natural Resources (GDNR). The GDNR has the authority to administer and enforce the Georgia RCRA hazardous waste program.

Military munitions regulations for the State of Georgia are located within the state's hazardous waste program regulations. They can be found in Chapter 391-3-11 in the Rules of GDNR, EPD, under Hazardous Waste Management.

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### *DEFINITION OF A SOLID WASTE*

Georgia has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter 391-3-11-.07.

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### *DEFINITION OF A HAZARDOUS WASTE*

Georgia has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Chapter 391-3-11-.07.

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### *STATE-SPECIFIC ISSUES*

Georgia has adopted the federal rule and incorporated it by reference into their state regulations; therefore, there are no state-specific issues pertaining to WMM.

## GEORGIA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	391-3-11-.02 391-3-11-.02	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	391-3-11-.07	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	391-3-11-.08	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	391-3-11-.09	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	391-3-11-.10 (2) 391-3-11-.10 (2) 391-3-11-.10 (2) 391-3-11-.10 (2) 391-3-11-.10 (2) 391-3-11-.10 (2)	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	391-3-11-.10 (1) 391-3-11-.10 (1) 391-3-11-.10 (1) 391-3-11-.10 (1) 391-3-11-.10 (1) 391-3-11-.10 (1)	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	391-3-11-.10 (3) 391-3-11-.10 (3) 391-3-11-.10 (3) 391-3-11-.10 (3) 391-3-11-.10 (3) 391-3-11-.10 (3) 391-3-11-.10 (3)	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	391-3-11-.11 (a) 391-3-11-.11 (12) 391-3-11-.11 (7)(a)	None None None

## GUAM

Added territory to Table 2-1 and Annex; included text below.

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### GENERAL

Guam has not adopted the federal MR, nor have they developed any territory specific military munitions regulations. At present, Guam regulates military munitions through their current solid waste management rules. The Solid Waste Management Division of the Department of Public Works, Guam Environmental Protection Agency (GEPA), administers Guam's solid waste program.

Guam's solid waste regulations can be found in Title 10, Chapter 51 under the Guam Code Annotated (GCA).

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### DEFINITION OF A SOLID WASTE

Guam has adopted the federal definition of a solid waste, but military munitions are not included in the definition. The territory's definition can be found in Title 10 GCA 51102.

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### DEFINITION OF A HAZARDOUS WASTE

Guam has adopted the federal definition of a hazardous waste, but military munitions are not included in the definition. The territory's definition can be found in Title 10 GCA 51102.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA also did not classify some provisions of the MR (e.g., Subpart

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EE). For the *less stringent* provisions of the MR and for the provisions that EPA did not classify (especially Subpart EE), these provisions of the MR are not available under State law until a State formally adopts the provision. For example, the conditional exemption is not available at the state level until a State adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered "equally stringent", they are available only provided that the state law is not *more stringent* than the federal standard. For provisions of the MR that are deemed *more stringent*, these rules are effective immediately at the federal level and States must adopt similar (or *more stringent*) requirement under State law.

## HAWAII

No changes.

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### *GENERAL*

Hawaii has adopted the federal MR by copying the federal rule word for word into their state regulations. The provisions of the MR are regulated under the Solid and Hazardous Waste Branch of the Hawaii Department of Health (HDOH). EPA administers and enforces Hawaii's hazardous waste rules.

Hawaii's hazardous waste program regulations can be found in Title 11, Chapters 260, 261, 262, 263, 264, 265, 266, and 270 of the Hawaii Administrative Code (HAC).

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### *DEFINITION OF A SOLID WASTE*

Hawaii has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Title 11, Chapter 261.2 of the HAC.

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### *DEFINITION OF A HAZARDOUS WASTE*

Hawaii has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Title 11, Chapter 261.3 of the HAC.

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### *STATE-SPECIFIC ISSUES*

Hawaii has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## HAWAII

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	Title 11, Chapter 260.1 Title 11, Chapter 260.10	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	Title 11, Chapter 261.2	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	Title 11, Chapter 262.10 Title 11, Chapter 262.20	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	Title 11, Chapter 263.10	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Title 11, Chapter 264.1 Title 11, Chapter 264.70 Subpart EE Title 11, Chapter 264.1200 Title 11, Chapter 264.1201 Title 11, Chapter 264.1202	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Title 11, Chapter 265.1 Title 11, Chapter 265.70 Subpart EE Title 11, Chapter 265.1200 Title 11, Chapter 265.1201 Title 11, Chapter 265.1202	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	Subpart M Title 11, Chapter 266.200 Title 11, Chapter 266.201 Title 11, Chapter 266.202 Title 11, Chapter 266.203 Title 11, Chapter 266.204 Title 11, Chapter 266.205 Title 11, Chapter 266.206	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	Title 11, Chapter 270.1 Title 11, Chapter 270.2 Title 11, Chapter 270.42	None None None

## IDAHO

Changes to Web and contact info in Annex.

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### *GENERAL*

Idaho has adopted the federal MR by copying the federal regulations word for word into their state regulations. Idaho has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Division of Hazardous Waste of the Idaho Department of Environmental Quality (IDEQ). IDEQ is authorized to administer and enforce the Idaho RCRA hazardous waste program.

Military munitions regulations for the State of Idaho are located within the state's hazardous waste program regulations. They can be found in Chapter 58.01.05 of the Idaho Administrative Code (IDAC).

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### *DEFINITION OF A SOLID WASTE*

Idaho has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter 58.01.05.005 of the IDAC.

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### *DEFINITION OF A HAZARDOUS WASTE*

Idaho has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Chapter 58.01.05.005 of the IDAC.

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### *STATE-SPECIFIC ISSUES*

Idaho has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## IDAHO

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	58.01.05.004 58.01.05.004	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	58.01.05.005	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	58.01.05.006 58.01.05.006	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	58.01.05.007	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	58.01.05.008 58.01.05.008 58.01.05.008 58.01.05.008 58.01.05.008 58.01.05.008	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	58.01.05.009 58.01.05.009 58.01.05.009 58.01.05.009 58.01.05.009 58.01.05.009	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted Adopted	58.01.05.010 58.01.05.010 58.01.05.010 58.01.05.010 58.01.05.010 58.01.05.010 58.01.05.010 58.01.05.010	None None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: the Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	58.01.05.012 58.01.05.012 58.01.05.012	None None None

## ILLINOIS

Changes to Web and contact info in Annex.

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### *GENERAL*

Illinois has adopted portions of the federal MR by copying the federal regulations word for word, while other portions of the federal rule have been amended by being reworded or completely rewritten. The provisions of the MR are regulated under the Waste Disposal Division of the Illinois Environmental Protection Agency (ILEPA). The ILEPA has the authority to administer and enforce the state's waste disposal program.

Military munitions regulations for the State of Illinois are located within the state's waste disposal program regulations. They can be found in Title 35: Environmental Protection, Subtitle G: Waste Disposal, of the Illinois Administrative Code (IAC).

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### *DEFINITION OF A SOLID WASTE*

Illinois has adopted the definition of a solid waste from the federal rule. The state reference can be found in Title 35.721.10(a)(2)(D).

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### *DEFINITION OF A HAZARDOUS WASTE*

Illinois has adopted the definition of a hazardous waste from the federal rule. The state reference can be found in Title 35.721.10(a)(2)(D).

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### *STATE-SPECIFIC ISSUES*

Illinois has not included tribal entities as parties with the authority to determine the immediate removal of waste material for the protection of human health and the environment (Title 35.724.101, Subpart A(g)(8)(A)).

Illinois added a provision in the IAC that prohibits incorporation of later amendments and editions by reference. For this reason,

interested members of the regulated community will need to notify the Board of any amendments of these references before those amendments can become effective under Illinois law. This provision precludes incorporation of the Department of Defense Science Board (DDESB) military munitions transportation amendments in the IAC. This prohibition is referenced in Section 5-75 of the Illinois Administrative Procedure Act [5 ILCS100/5-75].

## ILLINOIS

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	35.720.101, subpart B* 35.720.110.B	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	35-.721.101(a)(2)(D)	Also see Title 35.726.302
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	35.722.110(i)* 35.722.120(f)*	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	35.721.110*	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability  <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Amended  Adopted Adopted Adopted Adopted Adopted	35.724.101(g)(8)  35.724.170* 35.724.1200.EE* 35.724.1200 35.724.1201 35.724.1202	The "Tribal" entity has been omitted as a possible person able to determine the immediate removal of material. None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability  <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Amended  Adopted Adopted Reworded Reworded Reworded	35.725.101(c)(ii)(A)(iv)	The "Tribal" entity has been omitted as a possible person able to determine the immediate removal of material. None None None The federal rule has been paraphrased and reworded without losing the intent. None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M--Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions	Adopted Adopted Adopted Adopted Reworded	Subpart M 35.726.300* 35.726.301* 35.726.302* 35.726.303	None None None None In 726.303(b)(1), the transporter must file with the "Agency" and not the "Director"; The state rule divided 40 266.203(b) into 4 different sections. In section (2) the "Director" is again called the "Agency" in the state rule; Illinois regulations state that if the Agency finds reinstatement appropriate, the Agency shall grant it. The agency's decision to reinstate the conditional exemption (CE) shall be based on: the nature of the risks to human health & the environment posed



## INDIANA

Updated state-specific issues section to clarify modifications to the rule; updated citation in Table 2-1; changes to Web and contact info in Annex.

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### *GENERAL*

Indiana has adopted of the federal MR by copying the text word for word from the federal rule, and amended small portions of the federal rule. The provisions of the military munitions rule are regulated under the Solid Waste Management Board of the Indiana Department of Environmental Management (IDEM). IDEM is authorized to administer and enforce the Indiana RCRA hazardous waste program.

Military munitions regulations for the State of Indiana are located within the hazardous waste program regulations. They can be found in Title 329, Article 3.1 of the Indiana Administrative Code (IAC).

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### *DEFINITION OF A SOLID WASTE*

Indiana has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Title 329 3.1-6-2 of the IAC.

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### *DEFINITION OF A HAZARDOUS WASTE*

Indiana has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Title 329 3.1-6-3 of the IAC.

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### *STATE-SPECIFIC ISSUES*

Indiana has adopted virtually the entire federal MR word for word into the state regulations. The only modification to the rule relates to requests for claiming a material is not a solid waste or exempting it from regulation. These changes are not likely to affect military munitions.



Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
☑ 266.204 Standards Applicable to Emergency Responses	Adopted	329-3.1-11-1	None
☑ 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions	Adopted	329-3.1-11-1	None
☑ 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted	329-3.1-11-1	None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b>			
☑ 270.1 Purpose and Scope of These Regulations	Reworded	329-3.1-13-7	None
☑ 270.2 Definitions	Adopted	329-3.1-13-7	None
☑ 270.42 Permit Modification at the Request of the Permittee	Adopted	329-3.1-13-7	None

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## IOWA

No changes.

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### *GENERAL*

Iowa has adopted the federal MR by reference, and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Land Quality/Waste Management Assistance Division of the Iowa Department of Natural Resources (IDNR). The IDNR, in conjunction with the EPA, administers and enforces the Iowa State hazardous waste program.

Military munitions regulations for the State of Iowa are located within Iowa's hazardous waste regulations. They can be found in Title 567, Chapter 141.1–141.6, 141.8, and 141.14 of the Iowa Administrative Code (IAC).

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### *DEFINITION OF A SOLID WASTE*

Iowa has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 567 IAC 141.2.

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### *DEFINITION OF A HAZARDOUS WASTE*

Iowa has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 567 IAC 141.2.

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### *STATE-SPECIFIC ISSUES*

Iowa has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## IOWA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	567 IAC 141.1 567 IAC 141.1	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	567 IAC 141.2	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	567 IAC 141.3 567 IAC 141.3	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	567 IAC 141.4	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	567 IAC 141.5 567 IAC 141.5  567 IAC 141.5 567 IAC 141.5 567 IAC 141.5	None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	567 IAC 141.6 567 IAC 141.6 567 IAC 141.6  567 IAC 141.6 567 IAC 141.6 567 IAC 141.6	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted  Adopted Adopted	567 IAC 141.8 567 IAC 141.8 567 IAC 141.8 567 IAC 141.8 567 IAC 141.8  567 IAC 141.8 567 IAC 141.8	None None None None None  None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	567 IAC 141.14  567 IAC 141.14 567 IAC 141.14	None  None None

## KANSAS

Changes to Web and contact info in Annex.

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### *GENERAL*

Kansas has adopted the federal MR by reference, and has not adopted any state specific military munitions regulations. The provisions of the MR are regulated under the Bureau of Waste Management of the Kansas Department of Health and Environment (KDHE). KDHE is authorized to administer and enforce the Kansas state RCRA hazardous waste program

Military munitions regulations for the State of Kansas are located within the state's hazardous waste regulations. They can be found in Agency 28 - Department of Health and Environment, Article 28 - Hazardous Waste Management Standards and Regulations of the Kansas Register.

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### *DEFINITION OF A SOLID WASTE*

Kansas has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Article 28-31-3 of the Kansas Register.

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### *DEFINITION OF A HAZARDOUS WASTE*

Kansas has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Article 28-31-3 of the Kansas Register.

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### *STATE-SPECIFIC ISSUES*

Kansas has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## KANSAS

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	 Adopted Adopted	 28-31-1 28-31-2	 None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	 Adopted	 28-31-3	 None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	 Adopted Adopted	 28-31-4 28-31-4	 None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	 Adopted	 28-31-6	 None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	 Adopted Adopted Adopted  Adopted Adopted Adopted	 28-31-8 28-31-8 28-31-8  28-31-8 28-31-8 28-31-8	 None None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	 Adopted Adopted Adopted  Adopted Adopted Adopted	 28-31-8 28-31-8 28-31-8  28-31-8 28-31-8 28-31-8	 None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	 Adopted Adopted Adopted Adopted Adopted  Adopted Adopted	 28-31-8b 28-31-8b 28-31-8b 28-31-8b 28-31-8b  28-31-8b 28-31-8b 28-31-8b	 None None None None None  None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	 Adopted  Adopted Adopted	 28-31-9  28-31-9 28-31-9	 None  None None

## KENTUCKY

Updated citation in Table 2-1 and changes only to Web and contact info in Annex.

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### GENERAL

Kentucky has not adopted the federal MR and has not developed any state-specific military munitions rules. At present, military munitions are regulated under the Natural Resources and Environmental Protection Cabinet of the Kentucky Department of Environmental Protection (KDEP). KDEP is authorized to administer and enforce the state's RCRA hazardous waste rules.

Military munitions regulations for the State of Kentucky are located within Kentucky's Department of Environmental Protection rules. They can be found in Title 401 - Natural Resources and Environmental Protection Cabinet - Department for Environmental Protection, Chapters 30-36 and 38 of the Kentucky Administrative Rules (KAR).

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### DEFINITION OF A SOLID WASTE

Kentucky has adopted the federal definition of a solid waste; however, military munitions are not included in the definition. The state definition can be found in Title 401, Chapter 31 of KAR.

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### DEFINITION OF A HAZARDOUS WASTE

Kentucky has adopted the federal definition of a hazardous waste; however, military munitions are not included in the definition. The state definition can be found in Title 401, Chapter 31 of KAR.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and

- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The less stringent provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered equally stringent are available only provided that the state law is not more stringent than the federal standard. The provisions of the MR that are deemed more stringent rules are effective immediately at the federal level, and states must adopt similar (or more stringent) requirements under state law

## LOUISIANA

Updated adoption status and citation in Table 2-1; changes to Web and contact info in Annex.

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### *GENERAL*

Louisiana adopted the federal MR, but reworded selected portions. The provisions of the MR are regulated under the Hazardous Waste Division of the Louisiana Department of Environmental Quality (LDEQ). LDEQ is authorized to administer and enforce the Louisiana state RCRA waste laws.

Military munitions regulations for the State of Louisiana are located within the state's waste disposal program regulations, which can be found in Title 33, Part V of the Louisiana Administrative Code (LAC). Military munitions regulations are specifically located in Title 33, Part V, Chapter 53.

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### *DEFINITION OF A SOLID WASTE*

Louisiana has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in the LAC 33:V.109.

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### *DEFINITION OF A HAZARDOUS WASTE*

Louisiana has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in LAC 33:V.109.

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### *STATE-SPECIFIC ISSUES*

Louisiana has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## LOUISIANA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	LAC 33:V.109 LAC 33:V.109	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	LAC 33:V.109	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	LAC 33:V.1101.H LAC 33:V.1107.A.11	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	LAC 33:V.1301.G&H	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	LAC 33:V.1501 LAC 33:V.1501  LAC 33:V.2401 LAC 33:V.2403 LAC 33:V.2405	None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	LAC 33:V.4301 LAC 33:V.4301 LAC 33:V.43  LAC 33:V.4707 LAC 33:V.4709 LAC 33:V.4711	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted  Adopted  Adopted	LAC 33:V.5301 LAC 33:V.5301 LAC 33:V.5303 LAC 33:V.5303 LAC 33:V.5305  LAC 33:V.5307  LAC 33:V.5309  LAC 33:V.5311	None None None None None  None  None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations  <input checked="" type="checkbox"/> 270.2 Definitions  <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted  Adopted	LAC 33:V.4301 (I)  LAC 33:V.4301 (I)  LAC 33:V.4301 (I)	Gives instructions on where to find permitting programs for military munitions. Gives instructions on where to find permitting programs for military munitions Gives instructions on where to find permitting programs for military munitions

## MAINE

Changes to Web and contact info in Annex.

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### GENERAL

Maine has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, Maine regulates military munitions through their current hazardous waste management rules. The Bureau of Remediation and Waste Management (BRWM) of the Maine Department of Environmental Protection (MDEP) is authorized to administer and enforce the state's hazardous waste laws.

Hazardous waste regulations for the State of Maine can be found in Title 38, chapters 850–857 under the BRWM rules.

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### DEFINITION OF A SOLID WASTE

Maine has adopted the federal definition of a solid waste, but military munitions are not included. The state definition can be found in Title 38, chapter 850.

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### DEFINITION OF A HAZARDOUS WASTE

Maine has adopted the federal definition of a hazardous waste but military munitions are not included. The state definition can be found in Title 38, chapter 850.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered equally stringent are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## MARYLAND

Updated adoption status in Table 2-1.

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### *GENERAL*

Maryland has adopted the federal MR by reference and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Division of Waste Management of the Maryland Department of the Environment (MDE). MDE is authorized to administer and enforce the Maryland state hazardous waste program.

Military munitions regulations for the State of Maryland can be found in Title 26 – Department of the Environment, Subtitle 13 - Disposal of Controlled Hazardous Substances, Chapters 1–7 and 10 of Maryland’s hazardous waste management system.

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### *DEFINITION OF A SOLID WASTE*

Maryland has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Title 26, subtitle 13, Chapter 2.

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### *DEFINITION OF A HAZARDOUS WASTE*

Maryland has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Title 26, subtitle 13, Chapter 2.

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### *STATE-SPECIFIC ISSUES*

Maryland has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## MARYLAND

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	26-13-1 26-13-1	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	26-13-2	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	26-13-3 26-13-3	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	26-13-4	None
<b>Part 264 - Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	26-13-5 26-13-5  26-13-5 26-13-5 26-13-5	None None  None None None
<b>Part 265 - Interim Status Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	26-13-6 26-13-6 26-13-6  26-13-6 26-13-6 26-13-6	None None None  None None None
<b>Part 266 - Standards For the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M--Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted  Adopted Adopted	26-13-10 26-13-10 26-13-10 26-13-10 26-13-10  26-13-10 26-13-10	None None None None None  None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	26-13-7  26-13-7 26-13-7	None  None None

## MASSACHUSETTS

Updated adoption status in Table 2-1 and changes to Web and contact info in Annex.

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### GENERAL

Massachusetts has not adopted the federal MR and has not developed any state-specific military munitions. At present, Massachusetts regulates military munitions through their current hazardous waste management rules. Massachusetts' hazardous waste program is administered by the Bureau of Waste Prevention of the Massachusetts Department of Environmental Protection.

Massachusetts' hazardous waste regulations can be found in Title 310 – Department of Environmental Protection, Section 30.000 of the Code of Massachusetts Regulations (CMR).

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### DEFINITION OF A SOLID WASTE

Massachusetts has adopted the federal definition of a solid waste, but military munitions are not included. The state definition can be found in Title 310 CMR 30.100.

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### DEFINITION OF A HAZARDOUS WASTE

Massachusetts has adopted the federal definition of a hazardous waste, but military munitions are not included. The state definition can be found in Title 310 CMR 30.100.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart

EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## MICHIGAN

Changes to Web and contact info in Annex.

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### *GENERAL*

Michigan has both adopted the federal MR by reference and amended the federal MR by rewording selected portions. The provisions of the MR are regulated under the Waste Management Division of the Michigan Department of Environmental Quality (MDEQ). The MDEQ is authorized to administer and enforce the state's RCRA waste laws.

Military munitions for the State of Michigan are located within the state's hazardous waste regulations. They can be found in Part 111, R299 of the Michigan Administrative Rules (MAR).

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### *DEFINITION OF A SOLID WASTE*

Michigan has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in R299.9202 of the MAR.

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### *DEFINITION OF A HAZARDOUS WASTE*

Michigan has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in R299.9203 of the MAR.

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### *STATE-SPECIFIC ISSUES*

Section R299.9608 was amended to state, "The requirements of the use of manifest rule do not apply to owners or operators of off-site facilities with respect to waste military munitions exempted from manifesting requirements under R299.98R18."

## MICHIGAN

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	 Adopted Adopted	 R299.9103; E,F R299.9105; L to N	 None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	 Adopted	 R299.9202	 None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	 Adopted Adopted	 R299.9301 R299.9404	 None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	 Adopted	 R299.9401 (7)	 None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE–Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	 Adopted Adopted  Adopted Adopted Adopted	 R299.11003 R299.11003  R299.9637 R299.9637 R299.9637	 None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability  <input checked="" type="checkbox"/> Subpart EE–Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	 Adopted Amended  Adopted Adopted Adopted Adopted	 R299.9503 R299.9608  R299.9637 R299.9637 R299.9637 R299.9637	 None The requirements of the use of manifest rule do not apply to owners or operators of off-site facilities with respect to waste military munitions exempted from manifesting requirements under R299.98R18. None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M–Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses  <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	 Adopted Adopted Adopted Adopted Adopted  Adopted  Adopted Adopted	 R299.9817 R299.9817 R299.98R18 R299.98R18 R299.98R18  R299.9819  R299.9820 R299.9821	 None None None None None  Explosives and munitions emergencies involving military munitions or explosives shall comply with the requirements of R299.9301 (8), R299.9401 (7) and R299.9503 (2). None None



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## MINNESOTA

Updated adoption status in Table 2-1 and changes to Web and contact info in Annex.

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### GENERAL

Minnesota has not adopted the federal MR and has not developed any state-specific military munitions. At present, Minnesota regulates military munitions through their current hazardous waste management rules. Minnesota's hazardous waste program is administered by the Minnesota Pollution Control Agency (MPCA).

Minnesota hazardous waste regulations can be found in the MPCA section, Chapter 7045 – Hazardous Waste Division.

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### DEFINITION OF A SOLID WASTE

Minnesota has adopted the federal definition of a solid waste, but military munitions are not included. The state definition can be found in Chapter 7045.0020.

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### DEFINITION OF A HAZARDOUS WASTE

Minnesota has adopted the federal definition of a hazardous waste, but military munitions are not included. The state definition can be found in Chapter 7045.0020.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart

EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## MISSISSIPPI

Updated adoption status in Table 2-1 and changes to Web and contact info in Annex.

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### *GENERAL*

Mississippi has adopted the federal MR by reference and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the Office of Pollution Control of the Mississippi Department of Environmental Quality (MDEQ). MDEQ is authorized to administer and enforce the Mississippi state RCRA hazardous waste regulations.

Military munitions regulations for the State of Mississippi are located within the state's waste regulations. They can be found in the Mississippi Department of Environmental Quality Section, Parts 260 through 266 and 270 of the Mississippi Hazardous Waste Regulations.

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### *DEFINITION OF A SOLID WASTE*

Mississippi has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Part 261.2.

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### *DEFINITION OF A HAZARDOUS WASTE*

Mississippi has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Part 261.3.

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### *STATE-SPECIFIC ISSUES*

Mississippi has adopted the federal MR, therefore there are no state specific issues pertaining to WMM.

## MISSISSIPPI

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	260.1 260.10	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	261.2	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	262.10 262.20	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	263.10	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	264.1 264.70  264.1200 264.1201 264.1202	None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	265.1 265.70 Subpart EE  265.1200 265.1201 265.1202	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	Subpart M 266.200 266.201 266.202 266.203  266.204  266.205  266.206	None None None None None  None  None  None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	270.1  270.2 270.42	None  None None

## MISSOURI

Changes to Web and contact info in Annex.

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### *GENERAL*

Missouri has amended the federal MR by rewording portions of the rule. The provisions of the MR are regulated under the Hazardous Waste Management Commission of the Missouri Department of Natural Resources (MDNR). The MDNR is authorized to administer and enforce the Missouri state RCRA waste regulations.

Military munitions regulations for the State of Missouri are located within the state's hazardous waste regulations. They can be found in Title 10, Division 25, Chapters 3–7 of the Code of State Regulations.

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### *DEFINITION OF A SOLID WASTE*

Missouri has amended the federal definition of a solid waste. They have added “A material that is stored or accumulated in surface impoundments or waste piles is inherently waste-like as provided in 40 CFR 261.2 (d) and incorporated into this rule as a solid waste regardless of whether the material is recycled.” The state reference to the definition can be found in 25-4.261.

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### *DEFINITION OF A HAZARDOUS WASTE*

Missouri has amended the federal definition of a hazardous waste. They have added, “A mixture of solid wastes and hazardous wastes are not hazardous wastes if the generator can prove that the mixture consists of wastewater, which is regulated under Missouri Clean Water Act.” The state reference to the definition can be found in 25-4.261.

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### *STATE-SPECIFIC ISSUES*

In section 10 CSR 25-7.264, in addition to the requirements in 40 CFR264.73 (b) (2), “An owner/operator of a hazardous waste disposal facility shall record the location and quantity of each

hazardous waste shipment on a map or diagram of each cell or disposal area with respect to a surveyed permanent benchmark and baseline; an owner/operator of a facility which has had a release or which has hazardous waste constituent migration beyond the hazardous waste management unit shall record the locations and concentration of contamination on a map or diagram with respect to a surveyed permanent benchmark & baseline.” In part 25-7.266 Missouri added, “Oral and written notifications required by 40 CFR 266.203 (a)(1) and 40 CFR 266.205 (a)(1) shall be submitted to the department’s emergency response coordinator at (573) 634-2436, in lieu of the director.”

In section 10 CSR 25-4.261, Missouri has amended the federal definition of a solid waste in reference to material that is stored or accumulated in surface impoundments or waste piles. The provision states: “A material that is stored or accumulated in surface impoundments or waste piles is inherently waste-like as provided in 40 CFR 261.2 (d) and incorporated into this rule as a solid waste regardless of whether the material is recycled.”

This provision suggests that any material destined for recycling that is managed in a “pile” is a solid (and potentially hazardous) waste. Despite the provision in the federal MR that states that on-range collection of munitions residues (e.g., fins, shrapnel) is not a waste management activity, because of this provision Air Force installations engaged in active or inactive range clearance operations at locations within Missouri should refrain from managing the collected residue in piles (as is the common practice). This is because the Missouri provision opens the possibility of declaring the pile of residue to be a solid waste, potentially triggering waste management requirements on an active or inactive range.

## MISSOURI

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Amended	10 CSR 25-3.260 10 CSR 25-3.260	None Substituted "director" for "administrator."
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Amended	10 CSR 25-4.261	"A material that is stored or accumulated in surface impoundment's or waste piles is inherently waste-like as provided in 40 CFR 261.2 (d) and incorporated into this rule is a solid waste regardless of whether the material is recycled."
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	10 CSR 25-5.262 10 CSR 25-5.262	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Amended	10 CSR 25-6.263	Substituted "Missouri" for "United States."
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	10 CSR 25-7.264 10 CSR 25-7.264  10 CSR 25-7.264 10 CSR 25-7.264 10 CSR 25-7.264	None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Reserved  Adopted Adopted Adopted	10 CSR 25-7.265 10 CSR 25-7.265 10 CSR 25-7.265 EE 10 CSR 25-7.265 10 CSR 25-7.265 10 CSR 25-7.265	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M--Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions  <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions  <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Amended Adopted Not Referenced Adopted Amended  Adopted  Amended  Adopted	10 CSR 25-7.266 10 CSR 25-7.266  10 CSR 25-7.266 10 CSR 25-7.266  10 CSR 25-7.266  10 CSR 25-7.266	None   None "Oral and written notifications required by 40 CFR 266.203 (a)(1) shall be submitted to the departments emergency response coordinator at (573) 634-2436, in lieu of the director." None  "Oral and written notifications required by 40 CFR 266.205 (a)(1) shall be submitted to the departments emergency response coordinator at (573) 634-2436, in lieu of the director." None

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations  <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Amended           Adopted Adopted	10 CSR 25-7.270           10 CSR 25-7.270 10 CSR 25-7.270	In addition to the requirements in 40 CFR 270.1(b), the owner/operator shall provide state notification to the department within 60 days after the effective date of a state rule that first requires him/her to comply with 10 CSR 10 CSR 25 where that notification is required.  None None

## MONTANA

Updated citation information below and in Table 2-1; changes to Web and contact info in Annex.

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### *GENERAL*

Montana has adopted most of the federal MR by copying the text of the federal rule. The provisions of the military munitions rule for the State of Montana are regulated under the hazardous waste program. The Montana hazardous waste program is administered by the hazardous waste section of the Air and Waste Management Bureau of the Permitting and Compliance Division, which is a part of the Montana Department of Environmental Quality (MDEQ).

The provisions of the federal MR are enforced by the Administrative Rules of Montana (ARM) in the hazardous waste section. They can be found in ARM Title 17 – Department of Environmental Quality, Chapter 53 – Hazardous Waste Management (ARM 17.53)

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### *DEFINITION OF A SOLID WASTE*

Montana has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in ARM 17.53.302.

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### *DEFINITION OF A HAZARDOUS WASTE*

Montana has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in ARM 17.53.302.

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### *STATE-SPECIFIC ISSUES*

Montana has adopted the Federal MR; therefore, there are no state-specific issues pertaining to WMM.

## MONTANA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	17.53.301 17.53.301	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	17.53.501	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	17.53.601 17.53.601	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	17.53.701	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability  <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE–Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted  Adopted Adopted Adopted Adopted	17.53.801  17.53.801 17.53.801 17.53.801 17.53.801	The first part is missing, but 265 is incorporated by reference None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE–Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	17.53.901 17.53.901 17.53.901  17.53.901 17.53.901 17.53.901	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M–Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted  Adopted Adopted Adopted	17.53.1001 17.53.1001 17.53.1001 17.53.1001  17.53.1001 17.53.1001 17.53.1001	None None None None  None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	17.53.105  17.53.128*	None  None None

## NEBRASKA

Updated adoption status in Table 2.1 and changes to Web and contact info in Annex.

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### GENERAL

Nebraska has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, Nebraska regulates military munitions through their current hazardous waste management regulations. Nebraska's hazardous waste management program is administered by the Hazardous Waste Management Division of the Nebraska Department of Environmental Quality (NDEQ).

Hazardous waste regulations for the State of Nebraska can be found in Title 128, Chapters 1–3, 6–13, and 14 of the state regulations.

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### DEFINITION OF A SOLID WASTE

Nebraska has adopted the federal definitions of a solid waste except that military munitions are not mentioned. The definitions can be found in Title 128, Chapter 2.

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### DEFINITION OF A HAZARDOUS WASTE

Nebraska has adopted the federal definitions of a solid and hazardous waste except that military munitions are not mentioned. The definitions can be found in Title 128, Chapter 2.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## NEVADA

Updated adoption status in Table 2-1 (state confirmed they have not adopted the rule) and changes to Web and contact info in Annex.

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### GENERAL

Nevada has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, the state regulates military munitions through their current hazardous waste program. The Nevada hazardous waste program is administered by the Hazardous Waste division of the Bureau of Waste Management, which is a part of the Nevada Department of Environmental Protection (NDEP).

The Nevada hazardous waste regulations can be found in the Nevada Administrative Code (NAC) in Chapter 459, Hazardous Materials.

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### DEFINITION OF A SOLID WASTE

Nevada has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter 459 of the NAC.

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### DEFINITION OF A HAZARDOUS WASTE

Nevada has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Chapter 459 of the NAC.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## NEW HAMPSHIRE

Updated adoption status Table 2-1.

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### GENERAL

New Hampshire has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, the state regulates military munitions through the current RCRA hazardous waste regulations. The New Hampshire Hazardous Waste Compliance Section (HWCS) of the Waste Management Division enforces the state's hazardous waste program for the New Hampshire Department of Environmental Services.

The State of New Hampshire Department of Environmental Service's Hazardous Waste Rules can be found in Part Env.-Wm. Chapters 110, 211, 353, 400, 500, 600, 700, and 900.

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### DEFINITION OF A SOLID WASTE

New Hampshire has adopted the federal definition of a solid waste. The state reference to the definition can be found in Part Env-Wm 110.

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### DEFINITION OF A HAZARDOUS WASTE

New Hampshire has adopted the federal definition of a hazardous waste. The state reference to the definition can be found in Part Env-Wm 110.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## NEW JERSEY

Updated adoption status Changes to Web and contact info in Annex.

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### *GENERAL*

The Division of Solid and Hazardous Waste for the New Jersey Department of Environmental Protection (NJDEP) administers and enforces the state's hazardous waste program. NJDEP has adopted the federal MR by reference and incorporated it into their state rules without modifications. New Jersey's hazardous waste regulations can be found in their Administrative Code (NJAC) Section 7:26G-4.1–10.1 and 12.1.

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### *DEFINITION OF A SOLID WASTE*

New Jersey has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 7:26G-5.1 of the NJAC.

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### *DEFINITION OF A HAZARDOUS WASTE*

New Jersey has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 7:26G-5.1 of the NJAC.

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### *STATE-SPECIFIC ISSUES*

New Jersey has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## NEW JERSEY

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	7:26G-4.1 7:26G-4.1	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	7:26G-5.1	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	7:26G-6.1 7:26G-6.1	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	7:26G-7.1	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	7:26G-8.1 7:26G-8.1 7:26G-8.1 7:26G-8.1 7:26G-8.1 7:26G-8.1	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	7:26G-9.1 7:26G-9.1 7:26G-9.1 7:26G-9.1 7:26G-9.1 7:26G-9.1	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	7:26G-10.1 7:26G-10.1 7:26G-10.1 7:26G-10.1 7:26G-10.1 7:26G-10.1 7:26G-10.1	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	7:26G-12.1 7:26G-12.1 7:26G-12.1	None None None

## NEW MEXICO

Changes to Web and contact info in Annex.

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### *GENERAL*

New Mexico has adopted the federal MR and has not developed any state regulations pertaining to military munitions. The provisions of the federal MR are regulated through the hazardous waste management department of the New Mexico Environment Department (NMED).

Military munitions regulations for the State of New Mexico were issued by the New Mexico Environmental Improvement Board. They can be found in Title 20 – Environmental Protection, Chapter 4 – Hazardous Waste, and Part 1 – Hazardous Waste Management, also referred to as 20 New Mexico Administrative Code (NMAC) 4.1 (20 NMAC4.1).

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### *DEFINITION OF A SOLID WASTE*

New Mexico has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 20 NMAC4.1.200.

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### *DEFINITION OF A HAZARDOUS WASTE*

New Mexico has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 20 NMAC4.1.200.

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### *STATE-SPECIFIC ISSUES*

New Mexico has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## NEW MEXICO

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	20NMAC4.1.100 20NMAC4.1.100	None "Administrator" means Secretary of the NMED or his/her designee
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	20NMAC4.1.200	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	20NMAC4.1.300	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	20NMAC4.1.400	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	20NMAC4.1.500 20NMAC4.1.500 20NMAC4.1.500 20NMAC4.1.500 20NMAC4.1.500 20NMAC4.1.500	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	20NMAC4.1.600 20NMAC4.1.600 20NMAC4.1.600 20NMAC4.1.600 20NMAC4.1.600 20NMAC4.1.600	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	20NMAC4.1.700 20NMAC4.1.700 20NMAC4.1.700 20NMAC4.1.700 20NMAC4.1.700 20NMAC4.1.700 20NMAC4.1.700	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	20NMAC4.1.900 20NMAC4.1.900 20NMAC4.1.901	None None None

## NEW YORK

Changes only to Web and contact info in Annex.

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### *GENERAL*

The Division of Solid and Hazardous Materials (DSHM) for the New York State Department of Environmental Conservation (NYDEC) administers and enforces the states' RCRA hazardous waste program. NYDEC has adopted the federal MR and incorporated it into their state regulations with only a slight modification as noted below. New York's hazardous waste program regulations can be found in Parts 371–374 and 364 under Title 6 of the Official Compilation of Codes, Rules and Regulations of NYDEC, DSHM.

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### *DEFINITION OF A SOLID WASTE*

New York has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Part 371.1(c).

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### *DEFINITION OF A HAZARDOUS WASTE*

New York has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Part 371.1(d).

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### *STATE-SPECIFIC ISSUES*

New York amended Part 374-1.13(f)(h) of their state rule to state that waste military munitions (WMM) must be stored at government-owned facilities. This will preclude military munitions from being stored at any facilities in the state of New York other than government-owned facilities. No Air Force military munitions activities would be impacted; however, the Air Force military munitions acquisition and demilitarization community may be affected.

## NEW YORK

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	374-1.13 374-1.13	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	371.1 (c)	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	372.1 372.2	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	372.1	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	373-2 373-2.5 373-2.31 373-2.31 373-2.31 373-2.31	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	373-3.1 373-3.1 373-3.31 373-3.31 373-3.31 373-3.31	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	374-1.13 374-1.13 374-1.13 374-1.13 374-1.13 374-1.13 374-1.13(f) 374-1.13	None None None None None None Added a provision that states "WMM must be stored at government owned facilities." None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	364.1 364.1 364.1	None None None

## NORTH CAROLINA

Changes to Web and contact info in Annex.

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### *GENERAL*

The North Carolina Department of Environment and Natural Resources (NCDENR) administers and enforces the states' RCRA hazardous waste program. NCDENR has adopted the federal MR, and copied it word for word into their state regulations. North Carolina's hazardous waste program regulations can be found in North Carolina Administrative Code (NCAC) 15A NCAC 13A Parts .0102, .0106–.0111, and .0113 under Hazardous Waste Rules in the administrative code.

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### *DEFINITION OF A SOLID WASTE*

North Carolina has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 15A NCAC 13A Part .0106.

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### *DEFINITION OF A HAZARDOUS WASTE*

North Carolina has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 15A NCAC 13A Part .0106.

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### *STATE-SPECIFIC ISSUES*

North Carolina adopted the federal MR and copied it word for word; therefore, there are no state-specific issues pertaining to WMM.

## NORTH CAROLINA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	15A NCAC 13A .0102 15A NCAC 13A .0102	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	15A NCAC 13A .0106	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	15A NCAC 13A .0107 15A NCAC 13A .0107	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	15A NCAC 13A .0108	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	15A NCAC 13A .0109 15A NCAC 13A .0109	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	15A NCAC 13A .0110 15A NCAC 13A .0110	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted Adopted	15A NCAC 13A .0111 15A NCAC 13A .0111	None None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	15A NCAC 13A .0113 15A NCAC 13A .0113 15A NCAC 13A .0113	None None None

## NORTH DAKOTA

Updated adoption status in Table 2.1.

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### GENERAL

North Dakota has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, North Dakota regulates military munitions through the current hazardous waste management rules. North Dakota's hazardous waste management program is administered by the Division of Waste Management of the North Dakota Department of Health (DOH), Environmental Health Section.

North Dakota hazardous waste rules can be found in the North Dakota Century Code (NDCC), Chapter 33-24-01 – 33-24-07.

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### DEFINITION OF A SOLID WASTE

North Dakota has adopted the federal definition of a solid waste. The state definition of a solid waste can be found in Chapter 33-24-02-02 of the NDCC.

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### DEFINITION OF A HAZARDOUS WASTE

North Dakota has adopted the federal definition of a hazardous waste. The state definition of the hazardous waste can be found in Chapter 33-24-02-03 of the NDCC.

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### STATE- SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## OHIO

Ohio proposed a munitions rule in 2003, but there is no indication it is a rule yet. There are also no details as to what the rule may include. Updated rule citation in Table 2-1 and changes to Web and contact info in Annex.

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### GENERAL

The Division of Hazardous Waste Management for the Ohio Environmental Protection Agency (OEPA) administers and enforces the RCRA hazardous waste program. OEPA follows their state rules for waste management and has not included anything pertaining to military munitions. Ohio's hazardous waste program regulations can be found in Section 3745 Parts 50, 51, 52, 53, 54, 65 and 248 of the Ohio Administrative Code (OAC).

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### DEFINITION OF A SOLID WASTE

Ohio has adopted the federal definition of a solid waste. The state definition of a solid waste can be found in 3745-51-02 of the OAC.

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### DEFINITION OF A HAZARDOUS WASTE

Ohio has adopted the federal definition of a hazardous waste. The state definition of a hazardous waste can be found in 3745-51-03 of the OAC.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA

did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## OKLAHOMA

Changes to Web and contact info in Annex.

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### *GENERAL*

Oklahoma has adopted the federal MR and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated under the hazardous waste management division of the Oklahoma Department of Environmental Quality (ODEQ).

Military munitions regulations for the State of Oklahoma were promulgated and adopted under the Oklahoma Environmental Quality Code (OEAC) and implement the Oklahoma Hazardous Waste Management Act. They can be found in Title 252: Department of Environmental Quality, Chapter 205 Hazardous Waste Management.

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### *DEFINITION OF A SOLID WASTE*

Oklahoma has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in OEQC 252:205-3-2.

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### *DEFINITION OF A HAZARDOUS WASTE*

Oklahoma has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in OEQC 252:205-3-2.

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### *STATE-SPECIFIC ISSUES*

Oklahoma has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## OKLAHOMA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	252:205-3-2(b) 252:205-3-2(b)	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	252:205-3-2(c)	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability  <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted  Adopted	252-205-3-2(d)  252-205-3-2(d)	Additional requirements can be found in 252:205-5-1. See Quarterly Reporting Requirements None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	252:205-3-2(e)	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	252:205-3-2(f) 252:205-3-2(f) 252:205-3-2(f)  252:205-3-2(f) 252:205-3-2(f) 252:205-3-2(f)	None None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	252:205-3-2(g) 252:205-3-2(g) 252:205-3-2(g)  252:205-3-2(g) 252:205-3-2(g) 252:205-3-2(g)	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted  Adopted  Adopted	2525:205-3-2(h) 2525:205-3-2(h) 2525:205-3-2(h) 2525:205-3-2(h) 2525:205-3-2(h)  2525:205-3-2(h)  2525:205-3-2(h)	None None None None None  None  None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	252:205-3-2(j)  252:205-3-2(j) 252:205-3-2(j)	None  None None

## OREGON

No Change

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### *GENERAL*

Oregon has adopted the federal MR and has also developed state-specific regulations. The provisions of the MR are regulated under the hazardous waste program of the Oregon Department of Environmental Quality (ODEQ). ODEQ is authorized to administer and enforce the Oregon RCRA hazardous waste program.

Military munitions regulations for the State of Oregon are located within the Hazardous Waste Regulations of the Oregon Administrative Rules (OAR). They can be found in Title 340, Division 100 through 105.

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### *DEFINITION OF A SOLID WASTE*

Oregon has adopted the federal definition of a solid waste. The state reference to the definition can be found in Title 340-101 of the OAR.

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### *DEFINITION OF A HAZARDOUS WASTE*

Oregon has adopted the federal definition of a hazardous waste. The state reference to the definition can be found in Title 340-100 of the OAR.

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### *STATE-SPECIFIC ISSUES*

On 9 March 2001, the Oregon Environmental Quality Council (OEQC) adopted regulations proposed by the ODEQ amending the state's adoption of the Munitions Rule. This amendment to the Oregon MR was very narrowly focused on chemical agents and munitions (this term is defined in the federal MR). In this amendment Oregon unilaterally declared all chemical agents and munitions in the state to these waste munitions; and

established a no-migration standard for these wastes munitions. This amendment of the Oregon regulations for the management of waste munitions primarily impacts the operations at the U.S. Army's Umatilla Chemical Munitions Depot and is not expected to affect Air Force operations (in Oregon or elsewhere); it is noted here only for the purpose of information.

Oregon also deleted the provision in 40 CFR 270.42. No off-site materials can be accepted for incineration in Oregon (except those inventoried as of 12 February 1997).

## OREGON

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	340-100 340-100	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	340-101	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	340-102 340-102	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	340-103	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	340-104 340-104 340-104 340-104 340-104 340-104	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	340-100-0002 340-100-0002 340-100-0002 340-100-0002 340-100-0002 340-100-0002	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	340-100-0002 340-100-0002 340-100-0002 340-100-0002 340-100-0002 340-100-0002 340-100-0002	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions  <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Amended Amended	340-105 340-105 340-105-0041	  Also Remediation Action plans provisions of 270.2 have been deleted. 40 CFR 270.42(h) deleted and 340-105-0041 has replaced it. No off-site materials accepted for incineration except those inventoried as of 12 Feb 1997.

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## PENNSYLVANIA

Updated adoption status in Table 2.1, state-specific section text below, and table.

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### *GENERAL*

Pennsylvania has adopted the federal MR into their state regulations. The provisions of the military munitions rule for the State of Pennsylvania are regulated by the hazardous waste management program. The Pennsylvania hazardous waste management program is administered by the Division of Hazardous Waste Management, which is part of the Bureau of Land Recycling and Waste Management of the Pennsylvania Department of Environmental Protection (PDEP).

The provisions of the federal MR can be found within the state's hazardous waste management regulations, which were incorporated 1 May 1999 under the authority of the Solid Waste Management Act and the Clean Streams Laws. Pennsylvania's hazardous waste regulations can be found in Title 25, Environmental Protection, Part I; Department of Environmental Protection, Subpart D, Environmental Health and Safety; and Article VII – Hazardous Waste Management – of the Pennsylvania Code.

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### *DEFINITION OF A SOLID WASTE*

Pennsylvania adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Title 25, Chapter 261a.1.

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### *DEFINITION OF A HAZARDOUS WASTE*

Pennsylvania adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Title 25, Chapter 261a.1.

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### *STATE-SPECIFIC ISSUES*

Pennsylvania has adopted the federal MR rule in its entirety and has made very few modifications.

Any reference to “state”, “Authorized State”, “Approved State”, or “Approved Program” is substituted with “Commonwealth”.

Pennsylvania has stipulated additional modifications to the Chapter 262a.20 on manifests. 40 CFR 262.20(a), (b), and (c) are not incorporated by reference. Instead, the regulations indicate additional requirements that hazardous waste generators and transporters must follow.

## PENNSYLVANIA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	Title 25 Chapt. 260a.1. Title 25 Chapt. 260a.1.	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	Title 25 Chapt 261a.1.	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b>  <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	Title 25 Chapt. 262a.10 Title 25 Chapt. 262a.20	Pennsylvania has stipulated additional modifications to the Chapter 262a.20 on manifests. 40 CFR 262.20(a), (b), and (C) are not incorporated by reference. Instead the regulations indicate additional requirements which hazardous waste generators and transporters must follow. None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	Title 25 Chapt. 263a.10	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Title 25 Chapt. 264a.10 Title 25 Chapt. 264a.10	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	Title 25 Chapt. 265a.1. Title 25 Chapt. 265a.1.	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	Title 25 Chapt. 266a.20 Title 25 Chapt. 266a.20	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions  <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	Title 25 Chapt. 270a.1. Title 25 Chapt. 270a.1 Title 25 Chapt. 270a.1	None None None

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## RHODE ISLAND

Changes only to Web and contact info in Annex.

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### *GENERAL*

The State of Rhode Island has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, the state regulates military munitions through their current hazardous waste management regulations. The Rhode Island hazardous waste management program is administered by the Division of Waste Management, which is a division of the State of Rhode Island and Providence Plantations Department of Environmental Management.

The Rhode Island hazardous waste management regulations were promulgated under the authority of the 1956 Rhode Island General Laws. They can be found in the Department of Environmental Management, Sections 1.00 through 13.00.

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### *DEFINITION OF A SOLID WASTE*

Rhode Island has developed their own system of different types of waste classifications. The state reference to the definitions of the different waste classifications can be found in 3.53 of the Rhode Island Hazardous Waste Management Rules and Regulations

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### *DEFINITION OF A HAZARDOUS WASTE*

Rhode Island has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Section 3.25 of the Rhode Island Hazardous Waste Management Rules and Regulations

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### *STATE-SPECIFIC ISSUES*

The Rhode Island hazardous waste program contains a provision that expands the universe of hazardous wastes beyond that of the federal RCRA program. If a solid waste does not meet the federal criteria for being classified as a hazardous waste, the generator must further determine if that solid waste is a Rhode Island waste (see

§3.53 of the Rhode Island hazardous waste regulations). With respect to waste munitions, excluding the special status of waste munitions managed under conditional exemption, it is unlikely that a munition that is a solid waste would not meet the definition of a hazardous waste. If, however, a waste munition is found not to meet the criteria for classification as a hazardous waste based on the federal regulation, the generating installation would have to determine if that waste munition met any of the criteria for classification as a Rhode Island waste.

In addition, in the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ clarifications of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered equally stringent are available only provided that the state law is not *more stringent* than the federal standard. The provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## SOUTH CAROLINA

No Changes.

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### *GENERAL*

South Carolina has adopted the federal MR into their state regulations. They have not developed any state-specific military munitions regulations. The MR is administered and enforced by the South Carolina Hazardous Waste Permitting Division of the Bureau of Land and Waste Management, which is a division of the South Carolina Department of Health and Environmental Control (SCDHEC).

The provisions of the MR for the State of South Carolina were promulgated under the authority of the South Carolina Hazardous Waste Act Section 44-56-120 and 3010 of RCRA. The associated regulations can be found within the state's hazardous waste management regulations in Chapter 61 – Department of Health and Environmental Control of the South Carolina Code of Regulations.

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### *DEFINITION OF A SOLID WASTE*

South Carolina adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 61-79.261.

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### *DEFINITION OF A HAZARDOUS WASTE*

South Carolina adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 61-79.261.

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### *STATE-SPECIFIC ISSUES*

South Carolina has adopted the federal MR; therefore, there are no state-specific issues pertaining to WMM.

## SOUTH CAROLINA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	R.61-79.260.1 R.61-79.260.10	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	R.61-79.261	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	R.61-79.262 Subpart A R.61-79.262.20 Subpart B	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	R.61-79.263.10	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	R.61-79.264.1 R.61-79.264.70 R.61-79.264.1200 R.61-79.264.1201 R.61-79.264.1201	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	R.61-79.265.1 R.61-79.265.70 R.61-79.265 Subpart EE R.61-79.265.1200 R.61-79.265.1201 R.61-79.265.1202	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	R.61-79.266 Subpart M R.61-79.266.200 R.61-79.266.201 R.61-79.266.202 R.61-79.266.203 R.61-79.266.204 R.61-79.266.205 R.61-79.266.206	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	R.61-79.270.1 R.61-79.270.2 R.61-79.270.42	None None None

## SOUTH DAKOTA

State has adopted MR; updated adoption status in Table 2.1, updated text below, and changed contact info in Annex.

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### *GENERAL*

South Dakota has adopted the federal MR by reference and has not developed any state-specific military munitions regulations. The Waste Management Program for the South Dakota Department of Environment and Natural Resources (SDDENR) administers and enforces the RCRA hazardous waste program. The hazardous waste regulations may be found in Article 74:28:21–74:28:34 of the South Dakota Administrative Rules (SDAR).

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### *DEFINITION OF A SOLID WASTE*

South Dakota adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 74:28:22:01 of the SDAR.

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### *DEFINITION OF A HAZARDOUS WASTE*

South Dakota adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 74:28:22:01 of the SDAR.

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### *STATE-SPECIFIC ISSUES*

South Dakota has adopted the federal rule by reference; therefore, there are no state-specific issues pertaining to WMM.

## SOUTH DAKOTA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	74:28:21:02 74:28:21:02	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	74:28:22:02	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	74:28:23:01 74:28:23:01	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	74:28:24:01	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted  Adopted Adopted Adopted	74:28:25:01 74:28:25:01  74:28:25:01 74:28:25:01 74:28:25:01	None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	74:28:28:01 74:28:28:01 74:28:28:01  74:28:28:01 74:28:28:01 74:28:28:01	None None None  None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted  Adopted Adopted	74:28:27:01 74:28:27:01 74:28:27:01 74:28:27:01 74:28:27:01  74:28:27:01 74:28:27:01	None None None None None  None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Amended	74:28:26:01  74:28:26:01 74:28:26:01	None  None The requirements for public notice at the application stage do not apply to hazardous waste permit modifications under 40 CFR 270.42 (1 July 1999) or applications submitted for the sole purpose of conducting post-closure activities or post-closure and corrective action at a facility.

## TENNESSEE

Updated adoption status in Table 2.1 and changes to Web and contact info in Annex.

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### *GENERAL*

Tennessee adopted the federal MR by copying it word for word. They did not develop any state-specific military munitions regulations. The provisions of the MR are regulated under the Division of Waste Management of the Tennessee Department of Environment and Conservation (TDEC). TDEC is authorized to administer and enforce the Tennessee state RCRA hazardous waste program.

Military munitions regulations for the State of Tennessee are located within the state's hazardous waste program regulations. They can be found in Chapter 1200-1-11 of the Hazardous Waste Management System in Sections .01-.09.

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### *DEFINITION OF A SOLID WASTE*

Tennessee has adopted the federal rule and copied the definition of a solid waste. The definition can be found in Chapter 1200-1-11.02

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### *DEFINITION OF A HAZARDOUS WASTE*

Tennessee has adopted the federal rule and copied the definition of a hazardous waste. The definition can be found in Chapter 1200-1-11.02.

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### *STATE-SPECIFIC ISSUES*

Tennessee has adopted the federal rule and copied it word for word; therefore, there are no state-specific issues pertaining to WMM.

## TENNESSEE

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	1200-1-11.01 1200-1-11.01	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	1200-1-11.02	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	1200-1-11-.03 1200-1-11-.03	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	1200-1-11-.04	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	1200-1-11-.06 1200-1-11-.06 1200-1-11-.06 1200-1-11-.06 1200-1-11-.06 1200-1-11-.06	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE--Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	1200-1-11.05 1200-1-11.05 1200-1-11.05 1200-1-11.05 1200-1-11.05 1200-1-11.05	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M--Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	1200-1-11.09* 1200-1-11.09* 1200-1-11.09* 1200-1-11.09 1200-1-11.09 1200-1-11.09 1200-1-11.09	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	1200-1-11.07 1200-1-11.07 1200-1-11.07	None None None

## TEXAS

Changes to Web and contact info in Annex; regulations reference page; changed TNRCC to TCEQ.

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### *GENERAL*

Texas has adopted the federal MR by both reference and by paraphrasing the text of the federal rule. The provisions of the MR are regulated under the Hazardous Waste Division of the Texas Commission on Environmental Quality (TCEQ). The TCEQ is authorized to administer and enforce the hazardous waste regulations under the Texas state RCRA hazardous waste program.

Military munitions for the State of Texas can be found in Chapter 335.271 and 335.272 of the Texas Natural Resource Conservation Commission (TNRCC) rules.

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### *DEFINITION OF A SOLID WASTE*

Texas has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter 335.1.

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### *DEFINITION OF A HAZARDOUS WASTE*

Texas has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Chapter 335.1.

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### *STATE-SPECIFIC ISSUES*

Only minor changes to the MR were to address changes in the locations of definitions and chapter titles. None of these changes are expected to affect the management of the munitions programs on Air Force installations.

## TEXAS

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Amended	§335.1 §335.1	None The Texas rule breaks the multi-sentence federal definitions into subsections without changing the meaning.
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	§335.1	None None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	§335.6(h) §335.6(h)	None. None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	335.91(f)	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE–Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	§335.152(a)(20) §335.152(a)(20) §335.152(a)(20) §335.152(a)(20) §335.152(a)(20) §335.152(a)(20)	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE–Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	§335.112(a)(22) §335.112(a)(22) §335.112(a)(22) §335.112(a)(22) §335.112(a)(22) §335.112(a)(22)	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b>  <input checked="" type="checkbox"/> Subpart M–Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	§335.271 §335.271 §335.271 §335.271 §335.271 §335.271 §335.271	Incorporated the entire federal MR by reference, but made some conforming changes (e.g., changed reference to effective date in federal MR to effective date of Texas rule, change references to sections of 40 CFR to analogous sections of Texas regulations). In addition, the TCEQ specifically adopted changes to other sections of 40 CFR Parts 260-270 that appeared in the MR. None None None None None None None

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	§305.69(j)  §305.69(j) §305.69(j)	None  None None

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## UTAH

Updated adoption status and citation in Table 2.1 and updated text below with inclusive rules.

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### GENERAL

Utah has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, Utah regulates military munitions through the current hazardous waste management rules, specifically in rules R315-1–R315-9 and R315-12–R315-14. The Division of Solid and Hazardous Waste of the Utah Department of Environmental Quality administers Utah’s hazardous waste management program.

Utah has formed a workgroup to develop their own state military munitions regulations; however, no rules have yet been developed.

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### DEFINITION OF A SOLID WASTE

Utah has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in R315-2-2 of the Hazardous Waste Requirements.

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### DEFINITION OF A HAZARDOUS WASTE

Utah has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in R315-2-3 of the Hazardous Waste Requirements.

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### STATE-SPECIFIC ISSUES

Until the state develops its own rule, or decides to adopt the federal rule, they must adhere to the following. In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ clarifications of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping

by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. The provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## VERMONT

Updated adoption status in Table 2-1 and regulatory citations below and in Table 2-1. Updated text below with status of adoption progress.

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### GENERAL

Vermont has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, Vermont regulates military munitions under the Waste Management Division of the Department of Environmental Conservation. The Vermont hazardous waste management regulations can be found in the Vermont Environmental Protection Rules (VEPR), Chapter 7, Subchapters 1–7. The state is amending its hazardous waste rules to incorporate the munitions rule and anticipates completing this process between June and August 2004. The only anticipated changes to the rule involve clarifications to the emergency response provisions, which should not affect Air Force installations.

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### DEFINITION OF A SOLID WASTE

The Vermont definition of a solid waste is slightly reworded from the federal rule. The state reference to the definition can be found in VEPR Chapter 7, Subchapter 1, Section 7-103.

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### DEFINITION OF A HAZARDOUS WASTE

Vermont has developed their own system of different types of hazardous waste classifications. The state reference to the definitions of these waste classifications can be found in VEPR Chapter 7, Subchapter 2, Section 7-202.

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### STATE-SPECIFIC ISSUES

In addition to the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping

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by explosives or munitions emergency responders).

EPA did not classify some provision of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provisions. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. The provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## VIRGINIA

No Changes.

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### *GENERAL*

Virginia has adopted the federal MR into their state rule and has made several changes as indicated below. The provisions of the federal MR can be found within Virginia's hazardous waste regulations. The Virginia Waste Management Board administers the purposes and provisions of Virginia's regulatory program for Virginia Hazardous Waste Management Regulations. The Board derives its enforcement of these regulations under the authority of Title 10.1 of the Code of Virginia. Hazardous Waste Management in Virginia is a division of the Department of Environmental Quality (DEQ).

Virginia's hazardous waste management regulations can be found in Title 9, Environment, Chapter 60 of the Virginia Administrative Code (VAC). These regulations were effective 17 February 1999 under the statutory authority §10.1-1402 of the VAC.

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### *DEFINITION OF A SOLID WASTE*

Virginia has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 9 VAC 20-60-261.

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### *DEFINITION OF A HAZARDOUS WASTE*

Virginia has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 9 VAC 20-60-261.

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### *STATE-SPECIFIC ISSUES*

Virginia has adopted the federal MR by reference with very few modifications, additions, or exceptions. Specifically, they enacted broad scope regulations requiring hazardous waste transporters to obtain permits. They stipulated the prohibition of underground

injection wells for hazardous waste for treatment, storage, or disposal. Though it is not a part of the federal MR, Virginia did not incorporate part of the federal rule 40 CFR 263.31 on discharge cleanup into the state rule. 40 CFR 263.31 is referenced in 40 CFR 262.20 of the federal rule.

In 40 CFR 62.20(f), a provision not specific to munitions found in the federal MR, EPA changed the RCRA regulations to allow for the transportation of a hazardous wastes on a public or private right-of-way within or along the border of contiguous property under the control of the same person, even if such contiguous property is divided by a public or private right-of-way. Under this amendment, notwithstanding 40 CFR 263.10(a), the generator or transporter must comply with the requirements for transporters set forth in 40 CFR 263.30 and 40 CFR 263.31 in the event of a discharge of hazardous waste on a public or private right-of-way.

The Commonwealth of Virginia has modified the federal requirements for responding to discharges of hazardous waste during transportation. Under the Virginia regulations, 9 VAC 20-60-490 creates very detailed requirements for reporting and responding to a release of a hazardous waste. These requirements would apply instead of the federal requirements found at 40 CFR 263.30 and 40 CFR 263.31.

## VIRGINIA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Amended	9VAC 20-60-260 9VAC 20-60-260	None None with the following modification: The term Administrator means USEPA, and the term Regional Administrator means regional administrator of Region III of the USEPA or his designee.
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Amended	9 VAC 20-60-261	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b>  <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	9VAC 20-6-262 9VAC 20-6-262	Adopted by reference with the following addition: In addition to the requirements of 40 CFR 262, the generator shall designate on the manifest all subsequent transporters of the hazardous waste shipment. Also, the management of hazardous wastes is required to comply with the regulations governing the transportation of hazardous materials (9 VAC 20-110-10 et. seq.) including packing and labeling for transport. None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	9 VAC 20-60-263	None Note: Though not part of the regulations specific to the federal MR, 40 CFR 263.31 on discharge cleanup has not been incorporated into the state rule. Virginia has <i>more stringent</i> requirements for transportation of hazardous waste than the federal rule.
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	9 VAC 20-60-264 9 VAC 20-60-264 9 VAC 20-60-264 9 VAC 20-60-264 9 VAC 20-60-264 9 VAC 20-60-264	Virginia has added a prohibition of underground injection of hazardous waste for treatment, storage, or disposal. None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	9 VAC 20-60-265 9 VAC 20-60-265 9 VAC 20-60-265 9 VAC 20-60-265 9 VAC 20-60-265 9 VAC 20-60-265	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted	9 VAC 20-60-266 9 VAC 20-60-266 9 VAC 20-60-266 9 VAC 20-60-266 9 VAC 20-60-266	None None None None None

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted  Adopted  Adopted	9 VAC 20-60-266  9 VAC 20-60-266  9 VAC 20-60-266	None  None  None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted  Adopted Adopted	9 VAC 20-60-270  9 VAC 20-60-270 9 VAC 20-60-270	None  None None

## WASHINGTON

No Changes.

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### *GENERAL*

Washington has adopted portions of the federal MR and amended other portions by developing state-specific military munitions regulations. The provisions of the MR are regulated under the Hazardous Wastes and Toxic Reduction Division of the Washington Department of Ecology (WDEC). The WDEC is authorized to administer and enforce the Washington state RCRA hazardous waste program.

Military munitions regulations for the State of Washington are located within the state's hazardous waste program regulations found in Chapter 173-303 – Dangerous Waste Regulations – of the Washington Administrative Code (WAC).

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### *DEFINITION OF A SOLID WASTE*

Washington has adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in WAC 173-303-016.

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### *DEFINITION OF A HAZARDOUS WASTE*

Washington has adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in WAC 173-303-016.

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### *STATE-SPECIFIC ISSUES*

Because the State of Washington adopted most of the provisions of the federal MR, Air Force installations in the State of Washington must follow the procedures specified in the DoD Munitions Rule Implementation Plan for determining when unused munitions are to be classified as waste.

The State of Washington added a provision amending 40 CFR 266, Subpart M, which considers munitions discharged during military activities to be discarded material and, therefore, a solid waste. This provision made all munitions on closed or transferred ranges, at installations with a permit issued by WDEC (under the Dangerous Waste Regulations), a solid waste subject to corrective action. As a result, all Air Force facilities with State of Washington waste management operations permitted under the Dangerous Waste Regulations are required to identify any closed ranges on the installation to WDEC per the regulations or permit requirements, have their permit amended to reflect corrective action requirements for these ranges, and initiate such response actions as are required to ensure protection of human health and the environment.

In addition, the State of Washington has stipulated that the Washington State Official may authorize the removal of the waste material by transporters who do not have EPA or state identification.

## WASHINGTON

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	WAC 173-303-040 WAC 173-303-040	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	WAC 173-303-016 (5)(a)	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	WAC 173-303-170 WAC 173-303- R180	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	WAC 173-303-240 (10)	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted  Adopted Adopted Adopted	WAC 173-303-600 WAC 173-303-600 WAC 173-303-693  WAC 173-303-693 WAC 173-303-693 WAC 173-303-693	None None None  None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage  <input checked="" type="checkbox"/> 265.1200 Applicability  <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted  Amended  Amended  Amended Amended	WAC 173-303-400  WAC 173-303-400  WAC 173-303-400  WAC 173-303-400 WAC 173-303-400	None  The official or specialist may authorize removal of the material by transporters who do not have EPA or state identification numbers. The addition of the words "effective date of these regulations" means Nov 19, 1980 for facilities which manage any wastes designated by 40 CFR 261: For wastes which become designated by 40 CFR 261 subsequent to Nov 19, 1980 the effective date is the date on which the wastes become regulated. March 12, 1982 for facilities, which manage wastes, designated only by WAC 173-303-080 through 173-303-100 and not designated by 40 CFR 261."  The first sentence of 40 CFR 265.1202 is modified to exclude the exception for hazardous wastes managed under 261.3 (d).



## WEST VIRGINIA

Changes to Web and contact info in Annex.

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### *GENERAL*

West Virginia adopted the federal MR and has not developed any state-specific military munitions regulations. The provisions of the MR are regulated through the hazardous waste management division of the West Virginia Environmental Protection Division.

Regulations pertaining to military munitions for the State of West Virginia were promulgated pursuant to the West Virginia Hazardous Waste Management Act, WV Code §22-R18-1 et seq. They can be found in Title 33 – Legislative Rule Division of Environmental Protection, Office of Waste Management, Series 20 – Hazardous Waste Management Rule.

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### *DEFINITION OF A SOLID WASTE*

West Virginia adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in 33-20-3.

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### *DEFINITION OF A HAZARDOUS WASTE*

West Virginia adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in 33-20-3.

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### *STATE-SPECIFIC ISSUES*

West Virginia has adopted the federal MR in its entirety. The only amendment in the state rule that pertains to WMM states that “Class 2 permits as defined in the federal rule are not subject to the requirements of this section (33-20-11 of the state rule) in the West Virginia Rule.” The class 2 permits amendment simply means that West Virginia permitting can deny permit applications without explanation; however, the decision can be appealed.

## WEST VIRGINIA

Regulations 40 CFR 260-266 & 270	Adopted or Amended	State Reference	Major Differences
<b>Part 260 - Hazardous Waste Management System: General</b> <input checked="" type="checkbox"/> 260.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 260.10 Definitions	Adopted Adopted	33-20-2.1 33-20-2.1	None None
<b>Part 261 - Identification and Listing of Hazardous Waste</b> <input checked="" type="checkbox"/> 261.2 Definition of Solid Waste	Adopted	33-20-3	None
<b>Part 262 - Standards Applicable to Generators of Hazardous Waste</b> <input checked="" type="checkbox"/> 262.10 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 262.20 General Requirements	Adopted Adopted	33-20-5 33-20-5	None None
<b>Part 263 - Standards Applicable to Transporters of Hazardous Waste</b> <input checked="" type="checkbox"/> 263.10 Scope	Adopted	33-20-6	None
<b>Part 264 - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 264.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 264.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 264.1200 Applicability <input checked="" type="checkbox"/> 264.1201 Design and Operating Standards <input checked="" type="checkbox"/> 264.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	33-20-7 33-20-7 33-20-7 33-20-7 33-20-7 33-20-7	None None None None None None
<b>Part 265 - Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities</b> <input checked="" type="checkbox"/> 265.1 Purpose, Scope, and Applicability <input checked="" type="checkbox"/> 265.70 Applicability <input checked="" type="checkbox"/> Subpart EE—Hazardous Waste Munitions and Explosives Storage <input checked="" type="checkbox"/> 265.1200 Applicability <input checked="" type="checkbox"/> 265.1201 Design and Operating Standards <input checked="" type="checkbox"/> 265.1202 Closure and Post-Closure Care	Adopted Adopted Adopted Adopted Adopted Adopted	33-20-8 33-20-8 33-20-8 33-20-8 33-20-8 33-20-8	None None None None None None
<b>Part 266 - Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste and Specific Types of Hazardous Waste Management Facilities</b> <input checked="" type="checkbox"/> Subpart M—Military Munitions <input checked="" type="checkbox"/> 266.200 Applicability <input checked="" type="checkbox"/> 266.201 Definitions <input checked="" type="checkbox"/> 266.202 Definition of Solid Waste <input checked="" type="checkbox"/> 266.203 Standards Applicable to the Transportation of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.204 Standards Applicable to Emergency Responses <input checked="" type="checkbox"/> 266.205 Standards Applicable to the Storage of Solid Waste Military Munitions <input checked="" type="checkbox"/> 266.206 Standards Applicable to the Treatment and Disposal of Waste Military Munitions	Adopted Adopted Adopted Adopted Adopted Adopted Adopted	33-20-9 33-20-9 33-20-9 33-20-9 33-20-9 33-20-9 33-20-9	None None None None None None None
<b>Part 270 – EPA Administered Permit Programs: The Hazardous Waste Permit Program</b> <input checked="" type="checkbox"/> 270.1 Purpose and Scope of These Regulations <input checked="" type="checkbox"/> 270.2 Definitions <input checked="" type="checkbox"/> 270.42 Permit Modification at the Request of the Permittee	Adopted Adopted Adopted	33-20-11 33-20-11 33-20-11	None None Class 2 permits as defined in the federal rule are not subject to the requirements of this section in the West Virginia Rule.

## WISCONSIN

Updated solid waste and hazardous waste definition citations.

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### GENERAL

The Wisconsin Department of Natural Resources (WDNR) administers and enforces the hazardous waste management program for the State of Wisconsin. Wisconsin has not adopted the federal MR nor have they created and state-specific munitions rules. Instead, military munitions are regulated using the state's current hazardous waste rules. The state's hazardous waste management regulations can be found in the various environmental protection chapters of the Wisconsin Administrative Code (WAC); specifically Chapters NR 600–690.

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### DEFINITION OF A SOLID WASTE

Wisconsin adopted the definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter NR 600.03, which references Wisconsin Statute 289.01.

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### DEFINITION OF A HAZARDOUS WASTE

Wisconsin adopted the definition of a hazardous waste from the federal rule. The state reference to the definition can be found in NR 605.04.

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),
- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE).

The *less stringent* provisions of the MR and the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provision. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## WYOMING

Updated adoption status in Table 2.1 and added information about proposed state-specific rule below.

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### GENERAL

Wyoming has not adopted the federal MR and has not developed any state-specific military munitions regulations. At present, Wyoming regulates military munitions through their current hazardous waste management regulations. Wyoming's hazardous waste management program is administered by the Solid and Hazardous Waste Division of the Wyoming Department of Environmental Quality. Wyoming hazardous waste regulations can be found in Department of Environmental Quality Section of the Hazardous Waste Rules, Chapters 1–14.

The state is currently in the process of incorporating the munitions rule into its hazardous waste rules and is planning “a number of revisions which are considered more stringent than the federal rule.” What those revisions are and when they will be implemented is not known. A public hearing and comment period is pending.

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### DEFINITION OF A SOLID WASTE

Wyoming has adopted the federal definition of a solid waste from the federal rule. The state reference to the definition can be found in Chapter 1, Section 1(f).

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### DEFINITION OF A HAZARDOUS WASTE

Wyoming has adopted the federal definition of a hazardous waste from the federal rule. The state reference to the definition can be found in Chapter 2, Section 1(c).

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### STATE-SPECIFIC ISSUES

In the MR, EPA classified various provisions as:

- ◆ *less stringent* than the existing federal rules (e.g., conditional exemption),

- ◆ *clarifications* of the existing federal rules (e.g., definitions of when munitions become wastes), and
- ◆ *more stringent* than the existing federal rules (e.g., record keeping by explosives or munitions emergency responders).

EPA did not classify some provisions of the MR (e.g., Subpart EE). The *less stringent* provisions of the MR and for the provisions that EPA did not classify (especially Subpart EE) are not available under state law until a state formally adopts the provision. For example, the conditional exemption is not available at the state level until a state adopts its own regulations establishing the conditional exemption.

The MR provisions that EPA considered *equally stringent* are available only provided that the state law is not *more stringent* than the federal standard. Provisions of the MR that are deemed *more stringent* are effective immediately at the federal level, and states must adopt similar (or *more stringent*) requirements under state law.

## APPENDIX A: STATE CONTACT INFORMATION

STATE	CONTACT PHONE NUMBER	WEB SITE FOR STATE REGULATION
Alabama	(334) 271-7735	<a href="http://www.legislative.state.al.us.codeofalabma/coatoc.htm">http://www.legislative.state.al.us.codeofalabma/coatoc.htm</a>
Alaska	(907) 465-5066	<a href="http://www.state.ak.us/dec">http://www.state.ak.us/dec</a>
Arizona	(602) 207-4153	<a href="http://www.adeq.state.az.us/lead/oac/stat.html#final">http://www.adeq.state.az.us/lead/oac/stat.html#final</a>
Arkansas	(501) 682-0876	<a href="http://www.adeq.state.ar.us/hazwaste/default.htm">http://www.adeq.state.ar.us/hazwaste/default.htm</a>
California	(916) 324-0705	<a href="http://www.calregs.com/">http://www.calregs.com/</a>
Colorado	(303) 692-3320	<a href="http://www.cdphe.state.co.us">http://www.cdphe.state.co.us</a>
Connecticut	(860) 424-3023	<a href="http://www.cslib.org/statutes/title22a/httoc.htm">http://www.cslib.org/statutes/title22a/httoc.htm</a>
Delaware	(302) 739-3689	<a href="http://www.dnrec.state.de.us/DNREC2000/Divisions/AWM/hw/hw/drghw.htm">http://www.dnrec.state.de.us/DNREC2000/Divisions/AWM/hw/hw/drghw.htm</a>
District of Columbia	202-535-2270	<a href="http://dchealth.dc.gov/services/administration_offices/environmental/services2/waste/index.shtm">http://dchealth.dc.gov/services/administration_offices/environmental/services2/waste/index.shtm</a>
Florida	(850) 488-0300	<a href="http://www.dep.state.fl.us/dwm/bureaus/bshw.htm">http://www.dep.state.fl.us/dwm/bureaus/bshw.htm</a>
Georgia	(404) 657-5947	<a href="http://www.gadnr.org">http://www.gadnr.org</a>
Guam		<a href="http://www.guamepa.govguam.net/regs/index.html">http://www.guamepa.govguam.net/regs/index.html</a>
Hawaii	(808) 586-4226	<a href="http://www.hawaii.gov/health/rules/ADMRULES.html">http://www.hawaii.gov/health/rules/ADMRULES.html</a>
Idaho	(208) 373-0502	<a href="http://www.deq.state.id.us/waste/waste1.htm">http://www.deq.state.id.us/waste/waste1.htm</a>
Illinois	(217) 524-3306	<a href="http://www.ipcb.state.il.us/SLR/IPCBandIEPAEnvironmentalRegulations-title35.asp">http://www.ipcb.state.il.us/SLR/IPCBandIEPAEnvironmentalRegulations-title35.asp</a>
Indiana	(317) 232-8603	<a href="http://www.in.gov/idem/land/sw/solid.htm">http://www.in.gov/idem/land/sw/solid.htm</a>
Iowa	(515) 281-4968	<a href="http://www.state.ia.us/dnr/organiza/wmad/index.html">http://www.state.ia.us/dnr/organiza/wmad/index.html</a>
Kansas	(785) 296-1608	<a href="http://www.kdhe.state.ks.us/waste/">http://www.kdhe.state.ks.us/waste/</a>
Kentucky	(502) 564-6716	<a href="http://www.lrc.state.ky.us">http://www.lrc.state.ky.us</a>
Louisiana	(225) 219-3181	<a href="http://www.deq.state.la.us/planning/regs/Title33/index.htm">http://www.deq.state.la.us/planning/regs/Title33/index.htm</a>
Maine	(207) 287-7866	<a href="http://www.state.me.us/dep/rwm/rules/index.htm">http://www.state.me.us/dep/rwm/rules/index.htm</a>

STATE	CONTACT PHONE NUMBER	WEB SITE FOR STATE REGULATION
Maryland	(410) 537-3000	<a href="https://www.mde.state.md.us/programs/landprograms/hazardous_waste/index.asp">https://www.mde.state.md.us/programs/landprograms/hazardous_waste/index.asp</a>
Massachusetts	(617) 556-1096	<a href="http://www.state.ma.us/dep/bwp/dhm/dhmhome.htm">http://www.state.ma.us/dep/bwp/dhm/dhmhome.htm</a>
Michigan	(517) 373-7660	<a href="http://www.michigan.gov/deq.wmd.pib.hazwaste">http://www.michigan.gov/deq.wmd.pib.hazwaste</a>
Minnesota	(651) 296-6300	<a href="http://www.pca.state.mn.us/waste/hw-mnrules.html#7075">http://www.pca.state.mn.us/waste/hw-mnrules.html#7075</a>
Mississippi	(601) 961-5171	<a href="http://www.deq.state.ms.us/newweb/MDEQRegulations.nsf">http://www.deq.state.ms.us/newweb/MDEQRegulations.nsf</a>
Missouri	(573) 751-3176	<a href="http://sos.state.mo.gov/csr/current/10csr/10csr.asp#10-25">http://sos.state.mo.gov/csr/current/10csr/10csr.asp#10-25</a>
Montana	(406) 444-2544	<a href="http://www.deq.state.mt.us/dir/Legal/Chapters/Ch53-toc.asp">http://www.deq.state.mt.us/dir/Legal/Chapters/Ch53-toc.asp</a>
Nebraska	(402) 471-2186	<a href="http://www.deq.state.ne.us">http://www.deq.state.ne.us</a>
Nevada	(775) 687-4670 ext.3004	<a href="http://www.ndep.nv.gov/admin/nac459.htm">http://www.ndep.nv.gov/admin/nac459.htm</a>
New Hampshire	(603) 271-2946	<a href="http://www.des.state.nh.us/hwr/hwrules.pdf">http://www.des.state.nh.us/hwr/hwrules.pdf</a>
New Jersey	(609) 777-3373	<a href="http://www.state.nj.us/dep/legal/nj_env_law.htm">http://www.state.nj.us/dep/legal/nj_env_law.htm</a>
New Mexico	(505) 827-1551	<a href="http://www.nmenv.state.nm.us/HWB/regs/20.4.1_nmac.pdf">http://www.nmenv.state.nm.us/HWB/regs/20.4.1_nmac.pdf</a>
New York	(5R18) 485-8988	<a href="http://www.dec.state.ny.us/website/dshm/regs/370parts.htm">http://www.dec.state.ny.us/website/dshm/regs/370parts.htm</a>
North Carolina	(919) 733-1278, ext.247	<a href="http://www.enr.state.nc.us/html/rules.html">http://www.enr.state.nc.us/html/rules.html</a>
North Dakota	(702) 328-5210	<a href="http://www.health.state.nd.us/ndhd/envirom/wm/hwp/hwrules.htm">http://www.health.state.nd.us/ndhd/envirom/wm/hwp/hwrules.htm</a>
Ohio	(614) 644-2917	<a href="http://www.epa.state.oh.us/dhwm/laws_regs.html">http://www.epa.state.oh.us/dhwm/laws_regs.html</a>
Oklahoma	(405) 702-9123	<a href="http://www.deq.state.ok.us/rules/205.pdf">http://www.deq.state.ok.us/rules/205.pdf</a>
Oregon	(503) 229-6534	<a href="http://www.deq.state.or.us/about/rules.htm">http://www.deq.state.or.us/about/rules.htm</a>
Pennsylvania	(717) 783-2300	<a href="http://www.dep.state.pa.us/dep/deputate/airwaste/wm/HW/HW.htm">http://www.dep.state.pa.us/dep/deputate/airwaste/wm/HW/HW.htm</a>
Rhode Island	(401) 222-2797	<a href="http://www.state.ri.us/dem/pubs/regs/REGS/WASTE/WHREGS02.pdf">http://www.state.ri.us/dem/pubs/regs/REGS/WASTE/WHREGS02.pdf</a>
South Carolina	(803) 896-4141	<a href="http://www.scdhec.net/lwm">http://www.scdhec.net/lwm</a>
South Dakota	(605) 773-3153	<a href="http://www.legis.state.sd.us/rules/rules/7428.htm">http://www.legis.state.sd.us/rules/rules/7428.htm</a>
Tennessee	(615) 532-0854	<a href="http://www.state.tn.us/sos/rules/1200/1200-01/1200-01-11/1200-01-11.htm">http://www.state.tn.us/sos/rules/1200/1200-01/1200-01-11/1200-01-11.htm</a>
Texas	(512) 239-6612	<a href="http://info.state.tx.us/pls/ipub/readtc\$ext.viewtac">http://info.state.tx.us/pls/ipub/readtc\$ext.viewtac</a>

STATE	CONTACT PHONE NUMBER	WEB SITE FOR STATE REGULATION
Utah	(801) 538-6170	<a href="http://www.eq.state.ut.us/eqshw/hwrules.htm">http://www.eq.state.ut.us/eqshw/hwrules.htm</a>
Vermont	(802) 241-3878	<a href="http://www.anr.state.vt.us/dec/wastediv/rcra/hazregs/FINAL2000regs.htm">http://www.anr.state.vt.us/dec/wastediv/rcra/hazregs/FINAL2000regs.htm</a>
Virginia	(804) 698-4206	<a href="http://www.deq.state.va.us/waste/">http://www.deq.state.va.us/waste/</a>
Washington	(360) 407-6756	<a href="http://www.ecy.wa.gov/pubs/wac173303.pdf">http://www.ecy.wa.gov/pubs/wac173303.pdf</a>
West Virginia	(304) 558-5989	<a href="http://dep.state.wv.us/wm/index.html">http://dep.state.wv.us/wm/index.html</a>
Wisconsin	(715) 635-2101	<a href="http://www.legis.state.wi.us/rsb/code/nr/nr600.html">http://www.legis.state.wi.us/rsb/code/nr/nr600.html</a>
Wyoming	(307) 777-7541	<a href="http://soswy.state.wy.us/cgi-win/SSCGI_2.exe">http://soswy.state.wy.us/cgi-win/SSCGI_2.exe</a>