

7004(b) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: March 27, 2003.

**Lawrence E. Starfield,**

*Acting Regional Administrator, Region 6.*

■ For the reasons set forth in the preamble, 40 CFR part 272 is amended as follows:

## **PART 272—APPROVED STATE HAZARDOUS WASTE MANAGEMENT PROGRAMS**

■ 1. The authority citation for part 272 continues to read as follows:

**Authority:** Secs. 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

### **Subpart LL—[Amended]**

■ 2. Section 272.1851 is revised to read as follows:

#### **§ 272.1851 Oklahoma State-administered program: Final authorization.**

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Oklahoma has final authorization for the following elements as submitted to EPA in Oklahoma's base program application for final authorization which was approved by EPA effective on January 10, 1985. Subsequent program revision applications were approved effective on June 18, 1990, November 27, 1990, June

3, 1991, November 19, 1991, November 29, 1993, December 21, 1994, April 27, 1995, March 14, 1997, July 14, 1998, November 23, 1998, February 8, 1999, May 30, 2000, July 10, 2000 and March 5, 2001.

(b) State Statutes and Regulations.

(1) The Oklahoma statutes and regulations cited in paragraph (b)(1)(i) of this section are incorporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.* (See § 272.2).

(i) The Binder entitled "EPA Approved Oklahoma Statutory and Regulatory Requirements Applicable to the Hazardous Waste Management Program", dated March, 2001.

(ii) [Reserved]

(2) The following provisions provide the legal basis for the State's implementation of the hazardous waste management program, but they are not being incorporated by reference and do not replace Federal authorities:

(i) Oklahoma Hazardous Waste Management Act, as amended, 27A Oklahoma Statute (O.S.) 1997 Edition (unless otherwise specified), Sections 2-2-104, 2-7-102, 2-7-104, 2-7-105 (except 2-7-105(27), 2-7-105(29) and 2-7-105(34)), 2-7-106, 2-7-107, 2-7-108(B)(2), 2-7-110(A), 2-7-113.1, 2-7-115, 2-7-116(A), 2-7-116(G), 2-7-116(H)(1), 2-7-123, 2-7-126 (1999

Supplement), 2-7-129, 2-7-130, 2-7-131 and 2-7-133.

(ii) The Oklahoma Administrative Code, Title 252, Chapter 205, Hazardous Waste Management, effective June 12, 2000: Subchapter 1, Sections 252:205-1-1(b), 252:205-1-3(a) and (b), 252:205-1-4(a)-(d); Subchapter 3, Sections 252:205-3-2 introductory paragraph, and 252:205-3-2(a)(1).

(3) The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the authorized program, and are not incorporated by reference:

(i) Oklahoma Hazardous Waste Management Act, as amended, 27A Oklahoma Statute 1997 Edition, Sections 2-7-119, 2-7-121 and 2-7-134.

(ii) The Oklahoma Administrative Code, Title 252, Chapter 205, effective June 12, 2000: Subchapter 1, Section 252:205-1-1(c)(2)-(4), 252:205-1-2 "RRSIA", 252:205-1-2 "Reuse", 252:205-1-2 "Speculative accumulation", 252:205-1-2 "Transfer facility", 252:205-1-2 "Transfer station", 252:205-1-4(e) and (f); Subchapter 5, Sections 252:205-5-1(4), Subchapter 15; Subchapter 17; Subchapter 21; and 252:205 Appendices A, B, and C.

(4) *Unauthorized State Amendments.* The State's adoption of the Federal rules listed below is not yet approved by EPA and is, therefore, not enforceable:

Federal requirement	Federal Register reference	Publication date
Delisting .....	50 FR 28702 .....	07/15/85
	54 FR 27114 .....	06/27/89
	Amendments to 260.22(a) through 260.22(e). ....	
Toxicity Characteristics; Hydrocarbon Recovery Operations .....	55 FR 40834 .....	10/05/90
	56 FR 3978 .....	02/01/91
	56 FR 13406 .....	04/02/92
Toxicity Characteristics; Chlorofluorocarbon Refrigerants .....	56 FR 5910 .....	02/13/91
Administrative Stay for K069 Listing .....	56 FR 19951 .....	05/01/91
Amendments to Interim Status Standards for Downgradient Ground-water Monitoring Well Locations. ....	56 FR 66365 .....	12/23/91
Removal of Legally Obsolete Rules .....	60 FR 33912 .....	06/29/95
Mineral Processing Secondary Materials Exclusion .....	63 FR 28556 .....	05/26/98

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 6 and the State of Oklahoma (ODEQ), signed by the EPA Regional Administrator on March 1, 2000, is referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(6) *Statement of Legal Authority.* "Attorney General's Statement for Final Authorization", signed by the Attorney General of Oklahoma on January 20, 1984 and revisions, supplements and

addenda to that Statement dated January 14, 1988 (as amended July 20, 1989); December 22, 1988 (as amended June 7, 1989 and August 13, 1990); November 20, 1989; November 16, 1990; November 6, 1992; June 24, 1994; December 8, 1994; March 4, 1996; April 15, 1997; February 6, 1998, December 2, 1998, October 15, 1999 and May 31, 2000, are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(7) *Program Description.* The Program Description and any other materials submitted as supplements thereto are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

■ 3. Appendix A to part 272 is amended by revising the listing for "Oklahoma" to read as follows:

#### **Appendix A to Part 272—State Requirements**

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