**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY**

**CHAPTER 205. HAZARDOUS WASTE MANAGEMENT**

**RULEMAKING ACTION:**

 PERMANENT final adoption

**RULES:**

 Subchapter 3. Incorporation by Reference

 252:205-3-1. [AMENDED]

**AUTHORITY:**

 Environmental Quality Board; 27A O.S. § 2-2-101.

 Hazardous Waste Management Advisory Council, 27A O.S., §§2-2-101, 2-2-104, 2-2-201, 2 7-105, and 2-7-106.

**SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:**

 August 23, 2024

**COMMENT PERIOD:**

 September 16, 2024, to October 24, 2024

**PUBLIC HEARING:**

 October 24, 2024, Hazardous Waste Management Advisory Council

 January 21, 2025, Environmental Quality Board

**ADOPTION:**

 January 21, 2024 (Proposed)

**SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:**

**LEGISLATIVE APPROVAL:**

**LEGISLATIVE DISAPPROVAL:**

**APPROVED BY GOVERNOR'S DECLARATION:**

**FINAL ADOPTION:**

**EFFECTIVE:**

 September 15, 2025 (Proposed)

**SUPERSEDED EMERGENCY ACTIONS:**

 n/a

**INCORPORATION BY REFERENCE:**

**Incorporated standards:**

 Date of 40 CFR provisions incorporated by reference in these rules is changed to "as amended through July 1, 2024".

**Incorporating rules:**

 252:205-3-1

**Availability:**

 The standards are on file at the Department of Environmental Quality, 707 North Robinson, Oklahoma City, Oklahoma, 73102, and are available to the public for examination Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m., excluding state holidays. The standards may also be viewed on the Department of Environmental Quality Website at the following link:  https://www.deq.ok.gov/council-meeting-single/?meetingid=MTQ4MTc=

**GIST/ANALYSIS:**

The gist of this rulemaking is to make DEQ's hazardous waste rules consistent with the federal regulations by incorporating by reference the regulations found in Title 40 of the Code of Federal Regulations Parts 124 and 260-279, revised as of July 1, 2024. The rule change for this incorporation by reference makes technical corrections that correct or clarify specific provisions in the existing hazardous waste regulations that were promulgated in the Hazardous Waste Generator Improvements rule, Hazardous Waste Pharmaceuticals rule, and Definition of Solid Waste rule in addition to minor corrections to hazardous waste regulations independent of those three rules. Corrections and clarifications include, but are not limited to, correcting typographical errors as well as incorrect or outdated citations, making minor clarifications, and updating addresses. This rule change will not have a major impact on Oklahoma facilities.

**CONTACT PERSON:**

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**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E) WITH AN EFFECTIVE DATE OF SEPTEMBER 15, 2025.**

**SUBCHAPTER 3. INCORPORATION BY REFERENCE**

**252:205-3-1. Reference to 40 CFR**

 When reference is made to Title 40 of the Code of Federal Regulations (40 CFR), it shall mean (unless otherwise specified): the Hazardous Waste Regulations, Monday, May 19, 1980, as amended through July 1, ~~2023~~2024.