

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 205. HAZARDOUS WASTE MANAGEMENT**

Before the Hazardous Waste Management Advisory Council October 24, 2024
Before the Environmental Quality Board January 21, 2025

RULE IMPACT STATEMENT

DESCRIPTION: 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Corrections and clarifications include, but are not limited to, correcting typographical errors as well as incorrect or outdated citations, making minor clarifications, and updating addresses.

CLASSES OF PERSONS AFFECTED: Persons potentially affected by this action include hazardous waste generators; treatment, storage, and disposal facilities; healthcare facilities; reverse distributors managing hazardous waste pharmaceuticals; importers/exporters of hazardous waste; and users of the transfer-based exclusion to the definition of solid waste.

CLASSES OF PERSONS WHO WILL BEAR COSTS: This rule change consists of corrections to and clarifications of existing regulations and, therefore, no additional costs will be incurred.

INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES: No additional costs will be borne by private/public entities.

CLASSES OF PERSONS BENEFITTED: All classes of persons affected by this rulemaking will potentially benefit due to improvements to the regulatory text.

PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS: No economic impact on affected classes of persons will occur as a result of this rulemaking.

PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS: This proposed rule will not have an economic impact on political subdivisions.

POTENTIAL ADVERSE EFFECTS ON SMALL BUSINESSES: This proposed rule will not adversely affect small businesses.

LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE: No fee changes are associated with this proposed rulemaking.

PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE: DEQ will incur no costs as a result of this proposed rulemaking and DEQ will benefit from this

rulemaking due to improvements to the regulatory text.

PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE: No other agencies have jurisdiction to implement and enforce this proposed rule.

SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE: The proposed rule change will not require additional revenue for implementation and enforcement.

PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES IF IT CAN BE PROJECTED: No net loss or gain in revenues for DEQ or other agencies will result from this proposed rulemaking.

COOPERATION OF POLITICAL SUBDIVISION REQUIRED TO IMPLEMENT OR ENFORCE RULE: No cooperation by other political subdivisions will be necessary to implement or enforce the proposed rule.

EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS: No compliance costs will result from this proposed rule change.

DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE: None. The proposed rule change is to maintain equivalency with federal regulations as well as to rectify issues with the current regulatory text.

DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT: This proposed rule will have no effect on public health, safety, and the environment.

IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK: The intent of this rule change is not to reduce risks to public health, safety, and the environment; but rather to correct and clarify existing hazardous waste regulations.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED: Although no detrimental effect on public health, safety, and the environment will result due to not implementing this proposed rule, failure to pass the proposed revisions to OAC 252:205 will result in the DEQ hazardous waste rules not being equivalent to the federal regulations. Even though authorized states are not required to adopt the corrections, the Environmental Protection agency strongly encourages adoption to avoid any confusion or misunderstanding by the regulated community and the public.

PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES INCLUDING QUANTIFIABLE DATA WHERE POSSIBLE: No quantitative or qualitative impact on business entities will occur as a result of this rule change.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: September 27, 2024.