2015 Annual Review Program Element I

Alabama

Program Element I - Program Development, Authorization and Grant Requirements

Program Revisions and Authorization

To maintain a program that is equivalent to the federal hazardous waste management program, states are required to revise their programs to adopt newly promulgated EPA final rules. The State is authorized for federal rules from July 2003 through June 2004, known as RCRA Cluster XIV. The Alabama Department of Environmental Management (ADEM) has revised its program and submitted draft program revision applications (PRAs) seeking authorization for EPA final rules promulgated from July 2004 through June 2012, known as RCRA Clusters XV through XXII and final rules promulgated from July 2013 through June 2014, known as RCRA Cluster XXIII. The EPA has reviewed program revision applications for RCRA Clusters XVII through XIX and worked with ADEM to resolve questions or comments concerning these clusters. After it undergoes rulemaking to make corrections for several checklists in these clusters, ADEM will submit final program revision applications. Additionally, the EPA completed its review for draft RCRA PRAs Clusters XX through XXIII. Draft comments for these RCRA Clusters were submitted to ADEM on December 21, 2915. ADEM has thirty (30) days to review and respond to EPA's draft comments. (should I include this? 30 days will be due 01/21/16)

South Carolina

Program Element I - Program Development, Authorization and Grant

Program Revisions and Authorization

To maintain a program that is equivalent to the federal hazardous waste management program, states are required to revise their programs to adopt newly promulgated EPA final rules. South Carolina's Bureau of Land and Waste Management (BLWM) is authorized for federal regulations promulgated from July 2002 through June 2003, known as RCRA Cluster XIII.

Due to funding reductions, the BLWM does not have a full-time regulation development position. As a result, only 20% of an FTE is devoted to regulation development.

In FY 2015, the EPA submitted comments to BLWM's Program Revision Applications (PRAs) for RCRA Clusters XV through XX. The Department is in the process of reviewing the comments and preparing revised checklists for EPA's review.

During FY 2014, BLWM began the process of modifying its program to adopt the EPA final rules promulgated from July 2010 through June 2014, known as RCRA Clusters XXI, XXII and

portions of XXIII. The Department of Health and Environment Board approved the State's modification to its hazardous waste regulations on January 8, 2015, and subsequently submitted to the South Carolina State Legislature for review. RCRA Clusters XXI, XXII and a portion of XXIII became effective on June 26, 2015, upon publication in the State Register. The BLWM is currently working on adopting Checklist 234, "*Vacatur of Comparable Fuels* rule and the *Gasification* rule. BLWM will work on submitting PRAs for RCRA Clusters XXIII, XXIV and Checklists 211, 212 and 213 from RCRA Cluster XVI during FY 2016.

Tennessee

Program Element I- Program Development, Authorization and Grant

Program Revisions and Authorization

To maintain a program that is equivalent to the federal hazardous waste management program, states are required to revise their programs to adopt newly promulgated EPA final rules. In March 2015, the Tennessee Department of Health and Environment (TDEC) was authorized for federal regulations promulgated from July 2004 through June 2006, known as RCRA Clusters XV and XVI. These rules became effective on May 19, 2015. [HYPERLINK "http://www3.epa.gov/epawaste/laws-regs/state/stats/safrn/safrs/tn032015.pdf"].

The Tennessee Department of Health and Environment (TDEC) initiated several rulemaking changes in FY 2015. These changes consisted of:

1. Amendment 2014 "a" became effective on February 10, 2015. This amendment addressed conflicts that resulted from prior rulemakings, clarifications and state initiated changes such as combining the Petroleum Underground Storage Tank Board and the Solid Waste Disposal Board into one with a new name, *Underground Storage Tanks and Solid Waste Disposal Board* (UST&SWC).
2. Amendment 2015 "a" became effective on October 28, 2015. This Amendment incorporated Rule changes published in the Federal Register from July 2013 through June 2014, RCRA Cluster XXIII, and the State's response to EPA comments on a prior authorization package.
3. Amendment 2015 "b" was adopted by the UST&SWC Board on June 3, 2015. This Amendment was state initiated and made several changes to address EPA comments on a prior state authorization package. The rules are in the Attorney General's Office for review and will become effective in February, 2016.
4. Amendment 2015 "c" was approved by the UST&SWC Board on December 2, 2015. This Amendment incorporated rule changes published in the Federal Register for rules promulgated from July 2014 through June 2015, known as RCRA Cluster XXIV which includes the revised *Definition of Solid Waste*. The Amendment also addresses changes based on EPA comments on a prior State PRA.