
TITLE 329 SOLID WASTE MANAGEMENT DIVISION

Proposed Rule
LSA Document #22-216

DIGEST

Amends [329 IAC 3.1-6-1](#) concerning the adoption of federal requirements for the identification of liquid waste as an ignitable hazardous waste. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-7](#) and Second Notice of Comment Period: June 29, 2022, Indiana Register (DIN: [20220629-IR-329220216FDA](#)).

Notice of First Hearing: June 29, 2022, Indiana Register (DIN: [20220629-IR-329220216PHA](#)).

Date of First Hearing: September 14, 2022.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

IDEM requested public comment from June 29, 2022, through July 29, 2022, on IDEM's draft rule language. No comments were received during the second comment period.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On September 14, 2022, the Environmental Rules Board (board) conducted the first public hearing/board meeting concerning the development of amendments to [329 IAC 3.1-6-1](#). No comments were made at the first hearing.

[329 IAC 3.1-6-1](#)

SECTION 1. [329 IAC 3.1-6-1](#) IS AMENDED TO READ AS FOLLOWS:

[329 IAC 3.1-6-1](#) Adoption of federal identification and listing of hazardous waste

Authority: [IC 4-22-2-21](#); [IC 13-14-8](#); [IC 13-22-2-4](#)

Affected: [IC 13-22-2-3](#)

Sec. 1. (a) This rule identifies solid wastes that are subject to:

- (1) regulation as hazardous waste under this article; and
- (2) the notification requirements of [329 IAC 3.1-1](#).

(b) Except as provided in section 2 of this rule, the requirements of 40 CFR 261*, as amended by:

- (1) 81 FR 85713 through 81 FR 85715*;
- (2) 81 FR 85806*;
- (3) 82 FR 60900*;
- (4) 83 FR 61562 through 83 FR 61563*;
- (5) 84 FR 5938 through 84 FR 5939*; and
- (6) 84 FR 67217*;

(7) 85 FR 40608;

apply to the identification and listing of hazardous waste.

(c) For purposes of this article, a reference to any part of 40 CFR 261 means the version referenced in subsection (b).

*These documents are incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204.

(Solid Waste Management Division; [329 IAC 3.1-6-1](#); filed Jan 24, 1992, 2:00 p.m.: 15 IR 924; filed May 6, 1994, 5:00 p.m.: 17 IR 2062; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535; filed Nov 26, 2019, 11:36 a.m.: [20191225-IR-329180481FRA](#); filed Jan 15, 2021, 1:37 p.m.: [20210210-IR-329200204FRA](#))

[Notice of Public Hearing](#)

Posted: 10/05/2022 by Legislative Services Agency
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