(2) The following statutory provisions and regulations concerning State enforcement, although not codified herein for enforcement purposes, are part of the authorized State program:

(i) Ohio Revised Code, title 1, chapter 119, sections: 01 through 06.1, and 07 through 13; Ohio Revised Code, title 1, chapter 149, sections 011, 43, and 44 (Banks-Baldwin, 1990); Ohio Revised Code, title 37, chapter 3734, sections: 01 through 05, 07, and 09 through 14.1. 16 through 17, 20 through 22, and 31 through 99 (Banks-Baldwin, 1990).


(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 codified for enforcement purposes.

(i) Ohio Revised Code, Title 37, Chapter 3734, Sections: 06, 08, 18 through 19, and 23 through 30 (Page, 1987).

(ii) Ohio Administrative Code, Volume 4, Chapter 3745, Rules: 50–33 through 50–37, and 53–11(A) through 53–11(C) (OAC June 30, 1988).

(b) Memorandum of Agreement. The Memorandum of Agreement between EPA Region V and the Ohio Environmental Protection Agency signed by the EPA Regional Administrator on March 6, 1989, is codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et seq.

(c) Statement of Legal Authority. (1) "Attorney General’s Statement for Final Authorization," signed by the Attorney General of Ohio on December 30, 1988, and February 24, 1989, are codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et seq.

(d) Program Description. The Program Description and any other materials submitted as part of the original application or as supplements thereto dated November 8, 1990, and December 11, 1990, are codified as part of the authorized hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 et seq.

§§ 272.1802–272.1849 [Reserved]

Subpart LL—Oklahoma

§ 272.1850 [Reserved]

§ 272.1851 Oklahoma State-administered program: Final authorization.


(b) The State of Oklahoma has primary responsibility for enforcing its hazardous waste management program. However, EPA retains the authority to exercise its inspection and enforcement authorities in accordance with sections 3007, 3008, 3013, 7003 of RCRA, 42 U.S.C. 6927, 6928, 6931, 6973, and any other applicable statutory and regulatory provisions, regardless of whether the State has taken its own actions, as well as in accordance with other statutory and regulatory provisions.

(c) State Statutes and Regulations. (1) The Oklahoma statutes and regulations cited in paragraph (c)(1)(d) 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. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain copies of the Oklahoma regulations that are incorporated by reference in this paragraph from the State’s Office of Administrative Rules, Secretary of State, P.O. Box 53390, Oklahoma City, OK 73152–3390; Phone number: 405–521–4911; Web site: www.sos.state.ok.us/oar/oar/welcome.htm. The statutes are available from West Publishing Company, 610 Opperman Drive, P.O. Box 64526, St. Paul, Minnesota 55164–0526; Phone: 1–800–328–4880; Web site: http://west.thomson.com.

(i) The binder entitled “EPA-Approved Oklahoma Statutory and Regulatory Requirements Applicable to the Hazardous Waste Management Program”, May, 2012. Only those provisions that have been authorized by EPA are incorporated by reference. These provisions are listed in Appendix A to Part 272.

(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 Environmental Crimes Act, as amended through July 1, 2010, 21 Oklahoma Statutes (O.S.), Sections 1230.1 et seq.

(ii) Oklahoma Open Meetings Act, as amended through July 1, 2010, 25 Oklahoma Statutes (O.S.), Sections 301 et seq.


(iv) Oklahoma Open Records Act, as amended through July 1, 2010, 51 Oklahoma Statutes (O.S.), Sections 24A.1 et seq.

(v) Oklahoma Administrative Procedures Act, as amended through July 1, 2010, 75 Oklahoma Statutes (O.S.), Sections 250 et seq.


(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:


(4) Unauthorized State Amendments. The State’s adoption of the Federal rules listed in the following table is not approved by the EPA and are; therefore, not enforceable:
§§ 272.1852–272.1899

Federal requirement

Toxicity Characteristics; Hydrocarbon Recovery Operations
Toxicity Characteristics; Chlorofluorocarbon Refrigerants
Amendments to Interim Status Standards for Downgradient Ground-water Monitoring Well Locations
Removal of Legally Obsolete Rules
Mineral Processing Secondary Materials Exclusion.—Amendments to 40 CFR
Methods Innovation: SW–846

§ 272.1852–272.1899 [Reserved]

Subpart MM—Oregon

Subpart NN—Pennsylvania

Subpart OO—Rhode Island

Subpart PP—South Carolina

Subpart QQ—South Dakota

§ 272.2100 [Reserved]


(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), South Dakota has final authorization for the following elements as submitted to EPA in South Dakota’s base program application for final authorization which was approved by EPA effective on November 2, 1984. Subsequent program revision applications were approved effective on June 17, 1991, November 8, 1993, March 11, 1994, September 23, 1996, June 8, 2000, May 24, 2004 and March 8, 2006.

(b) The State of South Dakota has primary responsibility for enforcing its hazardous waste management program. However, EPA retains the authority to exercise its inspection and enforcement authorities in accordance with sections