

**United States Environmental Protection Agency, Region 5
RCRA SUBTITLE C STATE AUTHORIZATION STATUS – June 30, 2009**

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KEY

ACTION CODES		Bold Type indicates new since last report	
A	Final authorization takes effect	P	Final authorization published in <u>Federal Register</u> (FR)
CD	Comments on draft application sent to State	PR	Proposed authorization published in FR
CF	Comments on final application sent to State	R	Effective date of State rules
D	Draft application received	RC	Response to comments received from State
F	Final application received	W	Rule withdrawn from application
FP	Final authorization pending resolution of legislation issues	*	Optional rule

Please email Judith Greenberg at greenberg.judith@epa.gov or call her at (312) 886-4179, if you have any questions or comments regarding the contents of this page.

Ongoing Authorization Activities – 3rd Quarter FY 2009

Illinois: The MOA for authorization revision application (ARA) 8 is awaiting signature of the Attorney General's (AG) Statement. The AG statement is at the AG's office. ARA 8 contains about 60 rules.

Indiana: Indiana submitted ARA 21 on 3/5/2007. ORC is concerned about a piece of problematic legislation that Indiana is in the process of fixing. ARA 21 includes Revision Checklists 200-208. Indiana submitted draft ARA 22 on March 11, 2009. It is awaiting ORC review.

Michigan: Michigan's final express revision application, including a signed Attorney General's Statement, was received September 26, 2008. A Federal Register notice is being prepared to propose final authorization to be granted, with a 30 day comment period.

Minnesota: The program revision regarding the Joint Powers Agreement (ARA 9) with Hennepin County was authorized on October 23, 2008. Dakota and Washington counties have shown interest and are the lead candidates for the next JPA. MPCA expects no action though, until 2010. MPCA's rules package that contains about 60 rules, many of which pertain to the Land Ban, were promulgated effective June 22, 2009.

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Minnesota will submit ARA 10 by October 1, 2009. This will be their first major revision application since 1994.

Ohio: Ohio's ARA 8 includes Checklists 202-204, 206-208, 211, 212 and 214. The rules for ARA 8 were adopted effective February 16, 2009. Ohio submitted draft ARA 8 on March 24, 2009. The ARA is awaiting comment from ORC. Ohio is also drafting rules for ARA 9, which will go to the revisor after the public comment period ends. ARA 9 includes 200, 201, 209, 213, 215, and 216. Checklist 205, related to Subpart CC, cannot be adopted by Ohio until the legislature passes a statutory change.

Wisconsin: The Federal Register notice granting final authorization for ARA 8 was published April 17, 2009 (74 FR 17885) with authorization taking effect on April 17, 2009. The revisions were the result of the state's efforts to re-evaluate the language and renumbering of its rules to more closely mirror the Federal rules. The state is now authorized for the newly revised Wisconsin Administrative Code for Hazardous Waste Rules, including renumbered previously authorized rules and newly adopted rules through Revision Checklist 207.