



ADMINISTRATIVE RULES OF MONTANA

17.53.1102 EXCEPTIONS AND ADDITIONS TO ADOPTION OF FEDERAL LAND DISPOSAL RESTRICTIONS

- (1) The department is not adopting and incorporating by reference the authority to grant the following exemptions to land disposal restrictions, which may be granted only by the administrator of EPA:
 - (a) case-by-case extensions of federal effective dates, pursuant to 40 CFR 268.5;
 - (b) allowance of land disposal of a waste prohibited under 40 CFR 268, subpart C, pursuant to a petition filed under 40 CFR 268.6;
 - (c) approval of alternate treatment methods, pursuant to 40 CFR 268.42(b) ; and
 - (d) variance from a treatment standard, pursuant to 40 CFR 268.44.
- (2) For the reason described in (1) , the following federal regulations are not adopted and incorporated by reference:
 - (a) 40 CFR 268.5;
 - (b) 40 CFR 268.6;
 - (c) 40 CFR 268.42(b) ; and
 - (d) 40 CFR 268.44.
- (3) "Hazardous wastes for which land disposal prohibitions or treatment standards have not been promulgated in 40 CFR 268, subparts C or D, as incorporated by reference in ARM 17.53.1001(1) ;" is substituted for 40 CFR 268.1(e) (3) , pertaining to hazardous waste not subject to land disposal restrictions.
- (4) In 40 CFR 268.9(d) , pertaining to special rules regarding wastes that exhibit a characteristic, "department" is substituted for "EPA Region or authorized state".
- (5) In 40 CFR 268.40, pertaining to treatment standards, the term "Administrator" is retained.

Authorizing statute(s): 75-10-405, MCA

Implementing statute(s): 75-10-405, MCA

History: NEW, 2001 MAR p. 169, Eff. 1/26/01; AMD, 2005 MAR p. 442, Eff. 4/1/05.