



ADMINISTRATIVE RULES OF MONTANA



17.53.102 SCOPE OF RULES

- (1) In the Administrative Rules of Montana (ARM) the terms "waste" and "solid waste" are used differently than in regulations promulgated by the U.S. Environmental Protection Agency (EPA). EPA uses the term "solid waste" to mean all waste materials subject to the Resource Conservation and Recovery Act (RCRA). In the ARM, the term "waste" means all waste materials subject to RCRA. EPA uses the term "non-hazardous solid waste" to indicate those "solid waste" materials that are not covered under EPA's hazardous waste regulations. In the ARM, the term "solid waste" refers only to non-hazardous wastes. Therefore, "solid waste" and "hazardous waste" are mutually exclusive terms in the ARM and refer to the two subsets of all "waste" materials.
 - (a) Hazardous wastes are regulated under this chapter; and
 - (b) Solid wastes are regulated under ARM Title 17, chapter 50, subchapter 5 entitled "Refuse Disposal".
- (2) This chapter establishes standards for identifying hazardous waste as well as standards for hazardous waste management procedures for generators, transporters, and owners and operators of hazardous waste treatment, storage, and disposal facilities.
- (3) Injection wells are subject to the following requirements:
 - (a) Injection wells that are used to dispose of hazardous waste are not regulated under the Montana hazardous waste program, but are subject to requirements under the federal hazardous waste program. Specifically, these wells are subject to the permit-by-rule requirements of 40 CFR 270.1(c) (1) (i) and 270.60(b), and the owner or operator must have a permit issued by EPA under the Underground Injection Control Program to the extent the permit is required by 40 CFR 144.14. An interim status facility that disposes of hazardous waste by underground injection is subject to the requirements of 40 CFR 265, subparts A through E and R.
 - (b) Where surface facilities that treat, store, or dispose of hazardous waste are associated with injection wells, such associated surface facilities are subject to the permitting requirements of this chapter.

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, 2002 MAR p. 789, Eff. 3/15/02; AMD, 2005 MAR p. 442, Eff. 4/1/05.