

Summary of RCRA Hazardous Waste Rules to be Adopted by Wyoming (2018)

Federal Rules/Checklists Table

Checklist Number	O or M	Federal Register	Promulgation Date adopted and State Modification Deadline (Date)	Rule Description	Summary	IBR 40 CFR Reference(s)
231	M	79 FR 7518-7563	2/7/2014 (7-1-15)	Hazardous Waste Electronic Manifest rule	Establishes new requirements to authorize the use of e-manifests to track off-site shipments and receipt and disposition of hazardous waste	260.10, 262.20(a)(3)(i-ii), 262.24(a)(1-4), 262.24(b-g), 262.25(a)(1-4), 263.20(a)(1-4), 263.20(a)(1-8), 263.25, 264.71(a)(2)(i-vi), 264.71(f)(1-5), 264.71(g), 264.71(h)(1-4), 264.71(i-k), 264.71(k)(1), 265.71(a)(2)(i-vi), 265.71(f-k)
232	M	79 FR 36220-36231	6/26/2014 (7-1-15)	Revisions to the Export Provisions of the Cathode Ray Tube Rule	Revises certain export provisions of the CRT final rule published 7-28-06. Will allow for better tracking of exports for reuse and recycling to ensure their safe management.	260.10, 261.39(a)(5)(i)(F), 261.39(a)(5)(x-xi), 261.41(a)(1)(ii-vii), 261.41(b)
233x ¹	M	80 FR 1694-1814	1/13/2015 (7-1-16)	Revisions to the Definition of Solid Waste. SEE CHECKLISTS 233A-233E BELOW.	Revises recycling related provisions of the DSW rule used to determine waste regulation under Subtitle C including 1) the prohibition of sham recycling and the definition of legitimate recycling (including the definition of "contained"); 2) accumulation date tracking requirements for speculative accumulation provisions; and 3) changes to the standards and criteria for the solid waste variance and non-waste determinations.	40 CFR Parts 260 and 261 SEE CHECKLISTS 233A-233E BELOW FOR SPECIFIC REFERENCES
233A ¹	M	80 FR 1694-1814	1/13/2015 (7-1-16)	Standards and criteria for variance classification as a solid waste	Changes affecting all solid waste determinations and variances. More stringent than all states.	260.31(c)(1-5), 260.33(c,d,e), 260.42(a)(1-10), 260.42(b)
233B ¹	M	80 FR 1694-1814	1/13/2015 (7-1-16)	Legitimacy, related provisions, including prohibition of sham recycling, definition of legitimacy and contained	Legitimacy related provisions. Including prohibitions of sham recycling, definition of legitimacy, definition of contained.	260.10, 260.43, 261.2(a)(ii), 261.2(b)(3-4), 261.2(g)

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233C ¹	M	80 FR 1694-1814	1/13/2015 (7-1-16)	Speculative 233C ¹ accumulation	Defines speculative accumulation.	261.1(c)(8)
233D1 ¹	N A	80 FR 1694-1814	1/13/2015 (7-1-16)	Changes to the 2008 DSW Exclusions	Not applicable - Only for states who adopted the 2008 DSW Rule. WY did not.	
233D2 ¹	O	80 FR 1694-1814	1/13/2015 (7-1-16)	DSW exclusions and non-waste determination	Includes provisions from the 2008 DSW rule and revisions from the 2015 DSW final rule.	260.10, 260.30(b,d-f), 260.31(d)(1-6), 260.33(a), 260.34(a-c), 261.1(c)(4), 261.2(c)(3), 261.2(c)(4)table1, 261.4(a)(23)(i-ii), 261.4(a)(24)(i-vi), Subparts H,K-M, 261.400(a-b), 261.410(b)(1-4), 261.411(a-d), 261.420(a-f)
233E ¹	O	80 FR 1694-1814	1/13/2015 (7-1-16)	Remanufacturing Exclusion- Less stringent for all states	Adds definition of remanufacturing, revises definition of reclaimed.	261.2(c)(3), 261.2(c)(4) table1, 261.4(a)(27)(i-vi)(B-F), 261 Subpart I 261.170-261.173(b), 261.175(a-b), 261.176, 261.177(a-c), 261.179, 261 Subpart J 261.190(a-b), 261.191(a)-(b)(1-5), 261.193(b)(4), 261.193(c)(1-3), 261.193(d-f), 261.194(a-c), 261.195, 261.196-200, 261.1030-1031, 261.1050-1051, 261.1080-1081, 261.1082(b)
234	M	80 FR 18777-18780	4/18/15 (7-1-16)	Vacatur of comparable fuels and gasification rule	Revises the comparable fuels and gasification exclusions, plus implements vacaturs. Authorization of the state comparable fuels and gasification fuels is reinstated.	260.10, 261.4(a)(12)(i), 261.4(16), 261.38

¹ The state of Wyoming is not adopting the Revisions to the Definition of Solid Waste (80 FR 1694) or the Original Definition of Solid Waste (73 FR 64668) at this time as it is currently in litigation (see *American Petroleum Inst. v. Env'tl. Prot. Agency*, 862 F.3d 50 (D.C. Cir. 2017) (vacating portions of the Revisions to the Definition of Solid Waste)). EPA staff recognized in a conference call on August 1, 2017 that states such as Wyoming would want to wait to adopt the rule until the uncertainty and litigation surrounding the rule are resolved

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235	O	80 FR 21302-21501	4/17/15 (10/19/15)	Disposal of coal combustion residuals from electric utilities	Codifies a list of wastes generated from processes that support the coal or other fossil fuels that when co-disposed are not subject to HW regulations.	261.4(b)(i), and 261.4(b)(ii)(A-H)
236	M	80 FR 85696-85729	11/28/2016 (7-1-18)	Imports and exports of hazardous waste	Provides greater protection of HHE by making existing import and export requirements more consistent with current requirements.	260.10, 260.11(g)(1-2), 261.4(d)(1,4), 261.4(e)(1,4), 261.6(a)(3)(i), 261.6(a)(5), 271.10(e), 271.11(c)(4), and 271.12(i)(2).
237	M	81 FR 85730-85829	11/28/2016 (7-1-18)	HW generator rule improvements	Amends the existing HW generator program by reorganizing the regulations to make them more user-friendly, addresses gaps, provides greater flexibility, addresses errors, and removes obsolete references.	260.10, 260.11(d)(1), 261.1(a)(1), 261.1(c)(6), 261.4(a)(7), 261.5, 261.6(c)(2)(iv), 261.33(e), 261.33(f), 261.420(g), 262.1, 262.10(a)(1)(i-iii), 262.10(a)(2-3), 262.10(b, d), 262.10 (g)(1-2), 262.10(j), 262.10(l)(1-2), 262.11 (a-g), 262.12, 262.13(a-f), 262.14(a-c), 262.15(a-b), 262.16(a-f), 262.17(a-g), 262.18(a-e), 262.32(b-d), 262.34, 262.35, 262.40(c), 262.41(a-c), 262.43, 262.44, 262.200, 262.201(a-b), 262.202(a-b), 262.203(a-b), 262.204(a), 262.206(b)(3)(iii), 262.207(d)(2), 262.208(a)(1-2), 262.209(b), 262.210(a), 262.210(b)(3), 262.210(d)(2), 262.211(c-d), 262.211(e)(3), 262.212(d), 262.213(a)(1-3), 262.213(b)(2,5), 262.216(a-b), 262.216(b), 262.230, 262.231, 262.232-233, 262.250, 262.251, 262.252(a-d), 262.253, 262.254 (a-b), 262.255, 262.256(a-c), 262.260(a-b), 262.26 (a-f), 262.262(a-c), 262.263(a-e), 262.264, 262.265(a-i), 263.10(a-b), 264.1(g)(1,3), 264.15(b)(4), 264.71(c), 264.75, 264.170, 264.174, 264.191(a), 264.195, 264.1030(b)(2), 264.1050(b)(3), 264.1101(c)(4), 265.1(c)(5,7), 265.14(b)(4-5), 265.71(c), 265.75, 265.174, 265.195(d), 265.201, 265.1030(b)(2-3), 265.1050, 265.1101(c)(4), 266.80(a), 266.255(a), 267.71(c), 268.1(e)(1), 268.7(a)(5), 268.50(a)(1-2), 270.1(a)(3), 270.1(c)(2) (i-ii), 270.42, 273.8, 273.81, 279.10(b)(i).

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238	M	82 FR 60894-60901	12/26/17 (3-/26/18/)	Confidentiality Determinations for Hazardous Waste Export and Import Documents	Amends existing regulations regarding the export and import of hazardous wastes from and into the United States. Applies a confidentiality determination such that no person can assert confidential business information (CBI) claims for documents related to the export, import, and transit of hazardous waste and export of excluded cathode ray tubes (CRTs). EPA is making these changes to apply a consistent approach in addressing confidentiality claims for export and import documentation.	260.2(b), 260.2(d)(1-2), 261.39(a)(5)(iv), 262.83(b)(5), 262.83(f)(9), 262.84(b)(4), 262.84(f)(8)
239	M	83 FR 420-462	1/3/2018 (6/30/18)	Hazardous Waste Electronic Manifest System User Fee; Final Rule	Establishes the methodology the EPA will use to determine and revise user fees applicable to electronic and paper manifests to be submitted to the national electronic manifest system After the e-Manifest system's implementation date, certain users of the hazardous waste manifest will be required to pay a prescribed fee for each electronic and paper manifest they use and submit to the national system so that EPA can recover the costs of developing and operating the national e-Manifest system. On June 30, 2018 EPA expects the system to be operational and the earlier promulgated One Year Rule will go into effect. EPA will begin collecting manifest submission fees on this date.	260.4 Title, 260.4(a)(1-4), 260.5 Title, 260.5(a)(1-2), 260.5(b)(1-2), 262.20(a)(1-2), 262.21(f)(5-6v), 262.21(f)(7)(i)(A-C), 262.21(f)(7)(ii)(A-C), 262.21(f)(8), 262.24(c)(1-2), 262.24(e), 262.24(g), 262.24(h), 263.20(a)(8-9), 263.21(a)(1-4), 263.21(a-c), 264.71(a)(2)(i-v), 264.71(a)(2)(v)(A-B), 264.71(a)(2)(vi), 264.71(j)(1-2), 264.71(l)(1-5), 264.1086(c)(4)(i), 264.1086(d)(4)(i), 264 Subpart FF, 264.1300(a-b) 264.1310, 264.1311(a-c), 264.1312(a-b), 264.1313(a-c), 264.1314(a-c), 264.1315(a-c), 264.1316 (a-c), 265.71(a)(2)(i-v), 265.71(a)(2)(v)(A-B), 265.71(a)(2)(vi), 265.71(j)(1-2), 265.71(l)(1-5), 265.1087(c)(4)(i), 265.1087(d)(4)(i), 265 Subpart FF, 265.1300(a)(1-2), 265.1300(b), 265.1310, 265.1310, 265.1311(a)(1-3), 265.1311(b)(1-2), 265.1311(c)(1-3), 265.1312(a), 265.1312(b)(1-2), 265.1312(b)(2)(i-ii), 265.1313(a)(1-2), 265.1313(b-c), 265.1314(a-c), 265.1315(a-c), 265.1316(a-b), 265.1316(b)(1)(i-iv), 265.1316(b)(2)(i-iv), 265.1316(b)(3)(i-ii), 265.1316(c)(1-4)