§11-263.1-1

HAWAII ADMINISTRATIVE RULES

TITLE 11

DEPARTMENT OF HEALTH

CHAPTER 263.1

HAZARDOUS WASTE MANAGEMENT:
STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

§11-263.1-1 Incorporation of 40 C.F.R. part 263

Title 40, part 263 of the Code of Federal Regulations (C.F.R.), published by the Office of the Federal Register, as amended as of July 1, 2020, is made a part of this chapter subject to the substitutions and amendments set forth in sections 11-263.1-2 to 11-263.1-5. [Eff 7/17/17; am and comp 9/30/18; am and comp 6/25/20; am and comp 6/25/20; am and comp 6/25/20] (Auth: HRS 263.1-1)
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§11-263.1-2 Substitution of state terms and citations for federal terms and citations. (a) The following federal terms are replaced by the indicated state terms in all provisions of 40 C.F.R. part 263, as incorporated and amended in this chapter, except as listed in subsection (b):

(1) “Administrator”, “Assistant Administrator”, “Assistant Administrator for Solid Waste and Emergency Response”, “EPA Administrator”, “EPA Regional Administrator”, “Regional Administrator”, and “State Director” shall be replaced with “director”.

(2) “Agency”, “appropriate regional EPA office”, “Environmental Protection Agency”, “EPA”, “EPA Headquarters”, “EPA regional office”, “EPA Regions”, “U.S. Environmental Protection Agency”, and “United States Environmental Protection Agency” shall be replaced with “state department of health” except in references to “EPA Acknowledgment of Consent”, “EPA form(s)”, “EPA guidance”, “EPA hazardous waste numbers(s)”, “EPA ID number”, “EPA identification number(s)”, “EPA manual(s)”, “EPA publication(s)”, and “EPA test methods”.

(b) The federal terms listed in subsection (a) are not replaced with state terms in the following sections of 40 C.F.R. part 263, as incorporated and amended in this chapter: 40 C.F.R. section 263.20.

(c) All references to provisions of 40 C.F.R. parts 124, 260 to 268, 270, 273, and 279 in 40 C.F.R. part 263, as incorporated and amended in this chapter, shall mean the Hawaii Administrative Rules analog of the referenced federal regulation, as incorporated and amended in chapters 11-260.1 to 11-279.1, except as listed in subsection (d). The Hawaii Administrative Rules analogs are as follows:
§11-263.1-3 Amendments to the incorporation of 40 C.F.R. part 263, subpart A. (a) The incorporation by reference of 40 C.F.R. section 263.10 is amended as follows: in the note to 40 C.F.R. section 263.10(a), replace “enforceable by EPA” with “enforceable by EPA and the state department of health”.

(b) The incorporation by reference of 40 C.F.R. section 263.12 is amended as follows: in 40 C.F.R. section 263.12(a), delete “267,."
§11-263.1-4 Amendments to the incorporation of 40 C.F.R. part 263, subpart B. The incorporation by reference of 40 C.F.R. section 263.20 is amended as follows:

1. In 40 C.F.R. section 263.20(b), add a new sentence at the end of the section to read: “Before transporting the hazardous waste, a transporter who receives hazardous waste from a previous transporter must sign and date the manifest acknowledging acceptance of the hazardous waste from the previous transporter. The new transporter must return a signed copy to the previous transporter before leaving the site where possession of the waste is transferred.”


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