

July 7, 2025 Amendments to chapters 11-260.1 to 11-279.1, HAR

Most of the changes in this rulemaking action are in response to changes EPA has made to the federal hazardous waste rules, which are incorporated by reference (with amendments) in the Department's rules. This rulemaking updates the State's incorporation of the federal rules from the July 1, 2022 version of the CFR to the July 1, 2024 version, effectively adopting two new EPA rules.

The new federal rules adopted are:

- (1) Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Technical Corrections

This direct final rule makes technical corrections to correct and/or clarify existing regulations in three major federal rules and other minor corrections in the same parts of the federal rules. The three rules being corrected have already been adopted by the State via incorporation by reference of the federal rules. Examples of the types of corrections being made in this rule include correcting typographical errors, correcting incorrect or outdated citations, making minor clarifications, and updating addresses. [[88 FR 54086](#); for withdrawal of certain provisions, see also [88 FR 84713](#)]

- (2) EPA Method 23—Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources

This rule allows owners and operators of certain boilers and furnaces that are burning or processing hazardous wastes to use of EPA method 23, detailed in 40 CFR part 60 appendix A-7, as an alternative to SW-846 method 0023A to determine emission rates of chlorinated dibenzo-p-dioxins (CDDs) and chlorinated dibenzofurans (CDFs). [[88 FR 16732](#)]

Additional state-initiated changes are:

- (3) Update the phone number for contacting the Department's on-scene coordinators after business hours

The State rules require notification of the Department's Hazard Evaluation and Emergency Response (HEER) Office's on-scene coordinators in addition to EPA's National Response Center in the event of an emergency such as a fire, explosion, or release that could threaten human health outside the boundaries of a hazardous waste facility. The updated phone number will provide faster response through an improved trunk line (a central phone line that disperses into multiple lines) handling inbound calls at the State Hospital.

- (4) Apply the emergency preparedness requirements in 40 CFR part 261 subpart M, as incorporated and amended in chapter 11-261.1, HAR, to intermediate or reclamation facilities handling hazardous secondary materials

The Department's interpretation of court ordered vacatur for the Definition of Solid Waste Rule differed from EPA's interpretation [see [83 FR 24664](#)], which has been clarified through work on the Technical Corrections rule. This change re-aligns the State rules with the federal rules and is needed to maintain State rules that are at least as stringent as the federal rules.

- (5) Additional corrections to typographical errors