

Complete list of proposed changes

Note: In addition to the Hawaii Administrative Rules (HAR) citations given for specific changes to each section of the incorporated federal regulations, all federal regulations are incorporated by reference in section 1 of their respective HAR chapter, with general substitutions of state for federal terms made in section 2 of each chapter (for example, for changes to 40 CFR §260.10, these are §§11-260.1-1 and 11-260.1-2, HAR). Section 1 in each HAR chapter is amended by replacing “2022” with “2024” to incorporate the most recent version of the Code of Federal Regulations (CFR), published July 1, 2025.

Integrating e-Manifest With Hazardous Waste Exports and Other Manifest-Related Reports, PCB Manifest Amendments, and Technical Corrections

89 FR 60692 page number	Title 40 CFR section	Title 11 HAR section	Change to HAR text in this §	Explanation of change (citations are federal section numbers)	Change to state rules (citations are federal section numbers)
60725-60734		262.1-2(a)(2), 264.1-2(a)(2), 265.1-2(a)(2), 270.1-2	✓	The text of this new federal rule adds numerous references to the “EPA e-Manifest system” and “EPA’s e-Manifest system.”	In the state rules, “EPA” is general substituted with “[Hawaii] department of health,” except in certain circumstances and certain phrases, such as “EPA identification number.” An exception to general substitutions of state for federal terms is added for EPA(’s) e-Manifest system, so that “EPA” in this context continues to refer to EPA.
60724	260.2(d); 261.4(a)(25)(v)			Clarifies when no claim of business confidentiality may be asserted with respect to information contained in hazardous secondary material export documents.	
60724-60725	261.4(a)(25)(i) and (v)	261.1-2(d),	✓	Clarifies reporting requirements for import of hazardous secondary materials.	A cross-reference that was an exception to general substitutions of state for federal terms was removed by changes to federal language, which made some state language about this cross-reference obsolete. This obsolete language is being deleted.
60725	261.6(a)(3)(i)	261.1-3(e)	✓	Corrects cross-references regarding import and export requirements.	A similar change was previously adopted in the state rules and is now being removed because the federal language is being adopted.
60725-60726	262.20(a), 262.24	262.1-4	✓	Requires small and large quantity generators to register with the e-Manifest system to obtain copies of completed manifests and make requested manifest corrections in the e-Manifest system within 30 days.	A paragraph that was previously excluded from incorporation contains new content and is now being adopted. An exception to general substitutions of state for federal rules was necessitated by changes to federal language.
60725; 89 FR 86758 p. 86759	262.21(f)			Makes changes to paper manifest form.	
60726; 89 FR 86758 p. 86759	262.42	262.1-6(b)	✓	Changes reporting timeframes for manifest exception reports to 45/60 days for large quantity generators and 60 days for small quantity generators effective January 22, 2025. Requires exception reports to be submitted in the e-Manifest system effective December 1, 2025.	An exception to general substitutions of state for federal rules was necessitated by changes to federal language.
60726, 60728-60729; 89 FR 86758 p. 86759	262.83(a)(6), (g); 262.84(b)(1); 263.20(g)(4),	262.1-10(a), 263.1-4	✓	Removes obsolete language applicable before the AES filing compliance date (December 31, 2017).	A change previously made in the state rules is no longer required because of changes to the federal language.
60726-60729	262.83(b)(1), (b)(3), (d)(2)(iii), (iv), (v), (viii), and (ix); 262.84(b)(1) and (2),			Clarifies references to “address,” “site address,” and “mailing address” in import and export notifications, manifests, and movement documents.	

	(c)(1)(i), (d)(2)(iii), (iv), (v), (viii), and (ix)				
60727-60728	262.83(c) introductory paragraph, (i)(1) introductory paragraph, (i)(1)(vi)	262.1-2(d)(4)	✓	Applies existing language on electronic manifests from §§262.20 to 262.25 to exporters. Beginning December 1, 2025, requires the exporter to submit manifests to the e-Manifest system, pay the associated fees, make manifest corrections, and keep for three years copies of final manifests returned by the last US transporter under 263.20(g).	An exception to general substitutions of state for federal references is added for references to the manifest system in 40 CFR part 262 subpart H.
60727-60728	262.83(c)(2), (d)(2)(i) and (ii); 262.84(c)(3), (d)(2)(i) and (ii)			Requires export information, such as consent numbers, to be included on the manifest in new dedicated fields on the continuation sheet. Revises international shipment movement document-related requirements to more closely link the manifest data and movement document data. Requires the movement document to list the manifest tracking number if the shipment requires a manifest. Adds the movement document number as an alternative to the shipment number and number of shipments from Acknowledgement of Consent.	
60727, 60729	262.83(d)(2)(xv) and (xvi); 262.84(d)(2)(xv)			Requires exporters for exports and receiving facilities for imports to submit the completed movement document to WIETS. Requires exporters to submit completed confirmations of recovery or disposal to WIETS.	
60727-60733	262.83(d)(2)(xv) and (xvii), (f)(3) to (6); 262.84(d)(2)(xv), (f)(4)(iii), and (g), 264.12(a)(2) and (4), 264.71(d), 265.12(a)(2) and (4), 265.71(d)			For import and export shipments, allows an established data exchange to be used to comply with transmittal of shipment confirmation and notifications concerning the need to arrange alternate management or return of an individual shipment.	
60728	262.83(i)(1)(v)	262.1-10(a)	✓	Corrects a cross-reference to an obsolete section.	A correction previously made in the state rules is no longer required because of changes to the federal language.
60728	262.84(c)			Removes the requirement for an importer to provide an additional manifest copy to the transporter. This is not necessary because the receiving facility is required to submit the top copy of the manifest to the e-Manifest system.	
60729	263.20(a)(2), (c)			Makes non-substantive changes, removing obsolete effective date for export and import consent.	
60729	263.20(a)(9)	263.1-4(2)	✓	Requires transporters to make requested manifest corrections in the e-Manifest system within 30 days.	An exception to general substitutions of state for federal terms is added.
60729	263.20(g)			Makes changes relating to the paper manifest form for exports and requirements for transporters who transport hazardous waste out of the United States to return the signed, top copy of a paper manifest to the generator or exporter, depending on the date. Beginning December 1, 2025, the signed, top copy must be returned to the exporter, who is responsible for submitting it to the e-Manifest system.	

60730, 60733	264.71(a)(2), (b)(4), 265.71(a)(2), (b)(4)			Removes the requirement for receiving facility to send a paper copy of the completed manifest or rail or water bulk shipment shipping paper to the generator, since the generator will receive it through the e-Manifest system. Removes obsolete language about submission of paper manifests to the e-Manifest Paper Processing Center (this option was phased out on June 30, 2021). Requires submission of rail or water bulk shipment shipping paper to the e-Manifest system.	
60730, 60733	264.71(a)(3), 265.71(a)(3)			Makes changes relating to the paper manifest form and requires facilities receiving imported waste to submit a copy of the manifest to the e-Manifest system within 30 days of receipt.	
60731, 60733	264.71(l), 265.71(l)	264.1-7(b)(2), 265.1-7(b)	✓	Requires receiving facilities to make requested manifest corrections in the e-Manifest system within 30 days.	An exception to general substitutions of state for federal terms is added.
60731, 60733	264.72(c), 265.72(c)			Changes reporting timeframe for manifest discrepancy reports to 20 days. Requires discrepancy reports to be submitted in the e-Manifest system effective December 1, 2025.	
60731, 60733-60734	264.72(g), 265.72(g)			Removes requirement for a receiving facility rejecting a waste or identifying a container with residue as non-empty to send a corrected copy of the manifest to the generator, since the generator will receive it through the e-Manifest system. Allows the receiving facility to similarly not mail a copy of the corrected manifest to transporters who are registered in the e-Manifest system. The corrected manifest must be uploaded into the e-Manifest system.	
60731, 60734	264.76(b), 265.76(b)			Requires unmanifested waste reports to be submitted in the e-Manifest system effective December 1, 2025.	
60731, 60734	264.1310 definition of “Paper manifest submissions”, 264.1311, 265.1310 definition of “Paper manifest submissions”, 265.1311			Removes obsolete language about submission of paper manifests to the e-Manifest Paper Processing Center (this option was phased out on June 30, 2021).	
60731-60732, 60734-60735	264.1312 formulas, 265.1312 formulas			Makes non-substantive changes to the representation of the e-Manifest user fee formulas.	
60735	270.30(l)			Changes the reporting timeframe for manifest discrepancy reports to 20 days. Requires discrepancy reports and unmanifest waste reports to be submitted in the e-Manifest system effective December 1, 2025.	

Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes Under the American Innovation and Manufacturing Act of 2020

89 FR 82682 page number	Title 40 CFR section number	Title 11 HAR section	Change to HAR text in this §	Explanation of change (citations are federal section numbers)	Change to state rules (citations are federal section numbers)
82870	261.6(a)(2)			Exempts ignitable spent refrigerants recycled for reuse managed under 40 CFR part 266 subpart Q from regulation under other RCRA regulations (listed in 40 CFR section 261.6(b) and (c). Adds cross-reference to (new) subpart Q in 40 CFR part 266.	
82870	261.400, 261.420			Applies emergency preparedness and response requirements to facilities, other than 10-day transfer facilities, that receive ignitable spent refrigerant from off-site and are regulated under 40 CFR part 266 subpart Q.	
82870-82871	262.14(a)(5)			Allows very small quantity generators to send ignitable spent refrigerants to facilities regulated under 40 CFR part 266 subpart Q.	
82871	266.600. 266.601, 266.602			Establishes standards for facilities recycling ignitable spent refrigerant for reuse.	
82871	270.1(c)(2)(xi)			Excludes recyclers of ignitable spent refrigerants that are regulated under 40 CFR part 266 subpart Q from the requirement to obtain a hazardous waste permit.	

Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Technical Corrections

89 FR 99727 page number	Title 40 CFR section number	Title 11 HAR section	Change to HAR text in this §	Explanation of change (citations are federal section numbers)	Change to state rules (citations are federal section numbers)
99731	261.4(e)(1)	261.1-3(d)	✓	Corrects obsolete cross-references in this section that were changed by the Hazardous Waste Generator Improvements Rule.	A similar change was previously adopted in the state rules and is now being removed because the federal language is being adopted.
99731-99732	262.16(b)(1)			Clarifies applicability of accumulation limits for small quantity generators applicable to acute and non-acute hazardous waste. This paragraph was moved to 40 CFR section 262.16(b)(1) as part of the Hazardous Waste Generator Improvements Rule.	
99732	262.17(a)(8)			Clarifies language regarding notification of closure of a waste accumulation unit only (when the entire facility is not being closed). This language was originally adopted as part of the Hazardous Waste Generator Improvements Rule.	
99732	266.508(a)(2)(ii)	266.1-18(i)	✓	Allows the use of the code “PHRM” on manifests for non-creditable hazardous waste pharmaceuticals. This is an added option where the code “PHARMS” was allowed by the Hazardous Waste Pharmaceuticals Rule.	A similar change was previously adopted in the state rules and is now being removed because the federal language is being adopted.

Other changes

89 FR 103454 page number	Title 40 CFR section number	Title 11 HAR section	Change to HAR text in this §	Explanation of change (citations are federal section numbers)	Change to state rules (citations are federal section numbers)
103499- 103501	124.1, 124.2, 124.3, 124.5,124.6, 124.8, 124.10, 124.11, 124.12, 124.1 7	271.1-3	✓	Removes outdated references to the Clean Water Act section 404 Tribal and State program regulations.	
State-initiated corrections (correcting typographical errors, minor clarifications)					
	260.2(d)(1)	260.1-3(b)(4)	✓		HAR formatting correction. No substantive change.
	262.42(b)(1)	262.1-6(b)(2)	✓	The note to 262.42(b)(1) on applies before December 1, 2025, and its inclusion might be confusing, so it is excluded from incorporation.	The note to 262.42(b)(1) is excluded from incorporation.
	264.71(a)(2)(v)(B)	264.1-7(b)(1)	✓		Corrections are made to punctuation.
	273.14(a), (g), and (h), 273.34(a), (g), and (h)	273.1-4(b), 273.1- 5(c)	✓	This change is made to improve internal consistency.	Changes “storage area” to “accumulation area,” when referring to designated accumulation areas for different types of universal waste.
	273.39(a)(2) and (b)(2), 273.57(a)(2) and (b)(2), 273.62(a)(2)	273.1-5(e), 273.1- 6(b), 273.1-7(b)	✓		Correction adding aerosol cans and solar panels to example lists of types of universal waste.