

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

**NOTICE OF PUBLIC HEARING AND PROPOSED AMENDMENTS TO
GEORGIA'S RULES FOR HAZARDOUS WASTE MANAGEMENT
CHAPTER 391-3-11**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that, pursuant to the authority set forth below, The Environmental Protection Division (hereinafter, "EPD") of the Department of Natural Resources proposes amendments to Georgia's Rules for Hazardous Waste Management, Chapter 391-3-11 (hereinafter, "the proposed Hazardous Waste Management Rule Amendments"). The proposed rule amendments include revisions to Rules 391-3-11-.02, 391-3-11-.05, 391-3-11-.07, 391-3-11-.08, 391-3-11-.10, 391-3-11-.11, 391-3-11-.16, 391-3-11-.17, and 391-3-11-.18 as follows:

Rule 391-3-11-.07 - "Identification and Listing of Hazardous Waste" and Rule 391-3-11-.10 - "Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities" are being amended to correct errors and revise regulations adopted in accordance with the Resource Conservation and Recovery Act to include those corrections.

Rule 391-3-11-.07 - "Identification and Listing of Hazardous Waste" and Rule 391-3-11-.16 - "Land Disposal Restrictions" are being amended to add benzene and 2-ethoxyethanol to the list of solvents whose mixtures with wastewaters are exempted from the definition of hazardous waste under the Resource Conservation and Recovery Act.

Rule 391-3-11-.02 - "Definitions", Rule 391-3-11-.10 - "Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities", and Rule 391-3-11-.11 - "Hazardous Waste Facility Permits" are being amended to finalize standards for controlling emissions from hazardous waste combustors: incinerators, cement kilns, lightweight aggregate kilns, boilers, process heaters, and hydrochloric acid production furnaces.

Rule 391-3-11-.07 - "Identification and Listing of Hazardous Waste" is being amended to correct errors by transferring entries to a different column.

Rule 391-3-11-.02 - "Definitions", Rule 391-3-11-.05 - "Financial Responsibility", Rule 391-3-11-.07 - "Identification and Listing of Hazardous Waste", Rule 391-3-11-.08 - "Standards Applicable to Generators of Hazardous Waste", Rule 391-3-11-.10 - "Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities", Rule 391-3-11-.16, - "Land Disposal Restrictions", Rule 391-3-11-.17 - "Recycled Used Oil Management Standards" and Rule 391-3-11-.18 - "Standards for Universal Waste Management" are being amended to correct errors as a result of omissions, printing and typographical errors.

Rule 391-3-11-.02 - "Definitions" and Rule 391-3-11-.07 - "Identification and Listing of Hazardous Waste" are being amended to streamline management requirements for recycling of used cathode ray tubes.

Rule 391-3-11-.02 - "Definitions" and Rule 391-3-11-.07 - "Identification and Listing of Hazardous Waste" are being amended to promote the environmentally sound recycling of oil-bearing hazardous secondary materials generated by the petroleum refining industry.

Rule 391-3-11-.18 - “Standards for Universal Waste Management” is being amended to correct errors as a result of omissions.

Rule 391-3-11-.07 - “Identification and Listing of Hazardous Waste” and **Rule 391-3-11-.11 - “Hazardous Waste Facility Permits”** are being amended while excluding federal regulations less stringent than EPD’s current rules and inconsistent with the Department of Natural Resources’ public participation rule.

Rule 391-3-11-.02 - “Definitions”, Rule 391-3-11-.05 - “Financial Responsibility”, Rule 391-3-11-.07 – “Identification and Listing of Hazardous Waste”, Rule 391-3-11-.10 - “Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities”, and Rule 391-3-11-.16, - “Land Disposal Restrictions” are being amended while excluding federal regulations less stringent than EPD’s current rules. The rules being excluded would allow hazardous waste facilities to submit a less complete permit application than is considered appropriate by EPD to ensure proper management of hazardous wastes.

This notice, together with an exact copy of the Proposed Hazardous Waste Management rule amendments, a synopsis, and a statement of rationale of the rule revisions, is being provided to all persons who have requested in writing, that they be placed on a notification list. These documents may be viewed at <http://gaepd.org/environet/11> or during normal business hours of 8:00 a.m. to 4:30 p.m. at the Georgia Environmental Protection Division, Hazardous Waste Management Branch, 2 Martin Luther King, Jr. Drive, Suite 1162 East, Atlanta, Georgia 30334. Copies may also be requested by contacting the Hazardous Waste Management Branch at 404/656-7802 or the Environmental Protection Division Director’s Office at 1-888-373-5947.

To provide the public an opportunity to comment upon and provide input into the proposed Hazardous Waste Management rule amendments, a hearing will be held at 10:00 a.m. on April 15, 2008 in Suite 1470 East Tower, 2 Martin Luther King, Jr. Drive, Atlanta, Georgia. At the public hearing anyone may present data, make a statement, comment, or offer a viewpoint or argument either orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted in writing for the official record. Oral statements should be concise.

Written comments are welcomed. In order to be included in EPD’s summary to the Board of Natural Resources, written comments should be received by close of business on April 29, 2008. Written comments may be e-mailed to EPDComments@dnr.state.ga.us or sent via regular mail addressed to: Branch Chief, Hazardous Waste Management Branch, 2 Martin Luther King, Jr. Drive, Suite 1154 East, Atlanta, Georgia 30334.

The proposed Hazardous Waste Management rule amendments will be considered for adoption by the Board of Natural Resources at its meeting at 9:00 a.m. on May 28, 2008 in the DNR Board Room located at 2 Martin Luther King, Jr. Drive, Suite 1252, East Tower, Atlanta, Georgia 30334. The meeting is open to the public.

The proposed Hazardous Waste Management rule amendments are proposed for adoption pursuant to authority contained in the Georgia Hazardous Waste Management Act (O.C.G.A. Section 12-8-60 *et seq.*).

For further information, contact the Hazardous Waste Management Branch at 404/656-7802.