

**This Notice is being reissued to correct a typographical error in the meeting date of the Board of Natural Resources. The correct date is May 24, 2016. Written comments will be accepted through April 29, 2016. The related Synopsis, Statement of Rationale and Proposed Amendments are unchanged.**

**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 (EPD) of the Georgia Department of Natural Resources proposes amendments to the Georgia Rules for Hazardous Waste Management, Chapter 391-3-11. The Rule amendments are proposed for adoption pursuant to authority contained in the Georgia Hazardous Waste Management Act (O.C.G.A. § 12-8-60, *et seq.*). The Director of EPD certifies that the amendments of Rules 391-3-11-.01, 391-3-11-.02, 391-3-11-.04, 391-3-11-.05, 391-3-11-.07, 391-3-11-.08, 391-3-11-.10, and 391-3-11-.11 are necessary to exercise certain powers delegated by the federal government to the state for implementing specific sections of 40 CFR Parts 260 - 265 and 40 CFR Part 270 as detailed in the attachment to this Notice.

EPD proposes to amend Rules 391-3-11-.01, 391-3-11-.02, 391-3-11-.04, 391-3-11-.05, 391-3-11-.07, and 391-3-11-.08, 391-3-11-.10 and 391-3-11-.11 to include regulations published by the EPA through June 30, 2015. The proposed amendments include adoption of EPA's final "Definition of Solid Waste Rule". The rule establishes a uniform recycling standard for hazardous secondary materials that encourages recycling while ensuring the safe management of the materials. The rule does so by clarifying what can be recycled without triggering certain hazardous waste requirements and how the hazardous secondary materials must be managed. Additionally, the rule sets up state oversight through notification requirements, and a variance or permitting process.

This notice, together with an exact copy of the proposed 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 <https://epd.georgia.gov/chapter-391-3-11-rules-hazardous-waste-management> or during normal business hours of 8:00 a.m. to 4:30 p.m. at the Georgia Environmental Protection Division, Land Protection Branch, Hazardous Waste Management Program, 2 Martin Luther King, Jr. Drive SE, Suite 1052, Atlanta, Georgia, 30334. Copies may also be requested by contacting the Land Protection Branch, Hazardous Waste Management Program at 404-656-2833 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 Rule, a public hearing will be held at the following location:

**March 31, 2016 (10 am – 12 pm);** Environmental Protection Division; Tradeport Training Room; 4244 International Parkway, Suite 116, Atlanta, Georgia 30354.

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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 (4:30 p.m.) on **April 29, 2016**. Written comments may be emailed to [EPDComments@dnr.state.ga.us](mailto:EPDComments@dnr.state.ga.us) or sent via regular mail addressed to Branch Chief, Land Protection Branch, 2 Martin Luther King, Jr. Drive SE, Suite 1052, Atlanta, Georgia 30334.

If you choose to email your comments, please be sure to include the words "Hazardous Waste Rule amendments" somewhere in the subject line to help ensure that your comments will be forwarded to the correct staff.

The Rule amendments will be considered for adoption by the Board of Natural Resources at its meeting at 9:00 a.m. on **May ~~25~~ 24, 2016** at the Amicalola Falls State Park, 280 Amicalola Falls State Park Road, Dawsonville, GA. The meeting is open to the public.

For further information, please contact Land Protection Branch, Hazardous Waste Management Program at (404) 656-2833.

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**Attachment**

Rule Section being amended	Corresponding federal regulation
Rule 391-3-11-.01	40 CFR 260.10, 262.20, 262.24, 262.25, 263.20, 263.25, 264.71, and 265.71
391-3-11-.02	40 CFR 260.10
391-3-11-.04	40 CFR 260.42
391-3-11-.05	40 CFR 261.140 - 261.143, and 261.147 - 261.151
391-3-11-.07	40 CFR 260.30, 260.31, 260.33, 260.34, 260.42, 260.43, 261.1, 261.2, 261.4, 261.140 – 261.143, 261.147 – 261.151, 261.170 - 261.173, 261.175 - 261.179, 261.190, 261.191, 261.193, 264.194, 261.196 – 261.200, 261.400, 261.410, 261.411, 261.420, 261.1030 – 261.1035, 261.1050 – 261.1064, 261.1080 – 261.1084, 261.1086 – 261.1089
391-3-11-.08	40 CFR 262
391-3-11-.10	40 CFR 264.340
391-3-11-.11	40 CFR 270.42