



Summary and Status of Recent Hazardous Waste Rules in North Carolina***

| Federal Rules Not Yet in Effect or Federal Rules that Require North Carolina Rulemaking | | | | | | | |
|--|------------------------------|-------------------------------------|--|------------------------|----------------------------------|--------------------------|----------|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| <p><i>Currently there are no federal hazardous waste regulations that North Carolina must adopt. See the following pages for recent federal rules already in effect in North Carolina.</i></p> | | | | | | | |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|---|---|--|--|------------------------|----------------------------------|--------------------------|---|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Technical Corrections for the Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule | August 9, 2023 88 FR 54086 December 6, 2023 88 FR 84710 (Partial Withdrawal of Initial Rule) | .0102(a) | 260.10 | December 7, 2023 | December 7, 2023 | Not yet Authorized* | The provision of this federal rule was automatically incorporated by reference with no amendments required to be made to the state rules.** More information on Technical Corrections for HWGIR Provisions. More information on Technical Corrections for HW Pharmaceutical Provisions. More information on Technical Corrections to DSW Provisions. |
| | | .0106(a), (b), (d), (f), (i), (j), (k), (l), (m) | 261.1(a)(1), 261.4(a)(25), 261.6(c)(1), 261.11, 261.30, 261.142(a), 261.143(a), 261.147(g), 261.151, 261.400, 261.410, 261.411, 261.420, 261.1033, 261.1083, 261.1084, 261.1-89, and 261 Appendix IX | | | | |
| | | .0107(a), (d), (f), (g), (h) | 262.1, 262.10, 262.14(a), 262.16(b), 262.17, 262.42, 262.82(e), 262.200, 262.212, 262.213, 262.232, | | | | |
| | | .0109(a), (c), (f), (v), (w) | 264.1(g), 264.15(b), 264.72(a), 264.1030(b), 264.1050(b), | | | | |
| | | .0110(a), (e), | 265.1, 265.71, 265.72(a), | | | | |
| | | .0111(d), (g) | 266.100(c), 266.108, 266.501(d), 266.502, 266.503, 266.504, 266.505, 266.506, 266.507, 266.508, 266.510 | | | | |
| | | .0112(a) | 270.1 | | | | |
| EPA Method 23-Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans From Stationary Sources | March 20, 2023 88 FR 16732 | .0111(d) | 266.104(e)(1) | March 20, 2023 | March 20, 2023 | Not yet Authorized* | The provision of this federal rule was automatically incorporated by reference with no amendments required to be made to the state rules.** |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|---|--|-------------------------------------|--|------------------------|--|--------------------------|--|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Conforming Changes to Canada-Specific Hazardous Waste Import-Export Recovery and Disposal Operation Codes | October 1, 2021 86 FR 54381 | .0107(f) | 262.81, 262.83, 262.84 | October 31, 2021 | October 31, 2021 | Not yet Authorized* | The provisions of this federal rule were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0109(c) | 264.12 | | | | |
| | | .0110(b) | 265.12 | | | | |
| Modernizing Ignitable Liquids Determinations | 85 FR 40594; 7/7/2020 | .0101(e) | 260.11 | September 8, 2020 | September 8, 2020 | Not yet Authorized* | The provisions of this federal rule were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0106(c) | 261.21(a) | | | | |
| Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine | 84 FR 5816, 2/22/2019 | .0106(a) & (d) | 261.4(a), 261.7(c), 261.33 | August 21, 2019 | Sewer Prohibition and Amendment to P075 Nicotine Listing effective August 21, 2019. Subpart P Provisions (40 CFR 266.500-266.510) effective July 1, 2020. | Not yet Authorized* | North Carolina has completed rulemaking to incorporate by reference federal provisions 40 CFR 266.500 through 266.510 (subpart P). EPA administered and enforced sewer prohibition (40 CFR 266.505) until NC adopted.+ |
| | | .0107(a) | 262.10(m), (n); 262.13(c), 262.14(a), | | | | |
| | | .0109(a) | 264.1(g)(13) | | | | |
| | | .0110(a) | 265.1(c)(16) | | | | |
| | | .0111(g), (h) | 266.500-510 (subpart P) | | | | |
| | | .0112(a) & (e) | 268.7(a), 268.50(a) | | | | |
| | | .0113(a) | 270.1(c) | | | | |
| | | .0119(g) | 273.80(a), (d) | | | | |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|--|---|-------------------------------------|--|------------------------|----------------------------------|--------------------------|---|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Hazardous Waste Electronic Manifest User Fee Rule | 83 FR 420, 1/3/2018 | .0101(d) | 260.4, 260.5 | June 30, 2018 | July 1, 2020 | Not yet Authorized* | North Carolina has completed rulemaking to incorporate by reference federal provisions 40 CFR 260.4 and 260.5. EPA administered and enforced 40 CFR 260.4 and 260.5 until NC adopted. |
| Adding Aerosol Cans to the Universal Waste Regulations | 84 FR 67202, 12/9/2019 | .0102(b) | 260.10 | February 7, 2020 | February 7, 2020 | Not yet Authorized* | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules.** + |
| | | .0106(a) | 261.9 | | | | |
| | | .0109(a) | 264.1 | | | | |
| | | .0110(a) | 265.1 | | | | |
| | | .0112(a) | 268.1 | | | | |
| | | .0113(a) | 270.1 | | | | |
| | | .0119(a), (b), (c) | 273.1, 273.3, 273.6, 273.9, 273.13, 273.14, 273.32, 273.33, 273.34 | | | | |
| Safe Management of Recalled Airbags | 83 FR 61552, 11/30/2018 | .0102(b) | 260.10 | November 30, 2018 | November 30, 2018 | Not yet Authorized* | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0106(a) | 261.4(j) | | | | |
| | | .0107(a) | 262.14(a)(5) | | | | |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|---|---------------------------------------|-------------------------------------|--|------------------------|----------------------------------|--------------------------|--|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Address Change for Waste Import-Export Submittals from the Office of Federal Activities to the Office of Resource Conservation and Recovery | 83 FR 38262, 8/6/2018 | .0106(e) | 261.39(a), 261.41(a) | August 6, 2018 | August 6, 2018 | Not yet Authorized* | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0107(f) | 262.82(e) | | | | |
| Confidentiality Determinations for Hazardous Waste Export and Import Documents | 82 FR 60894, 12/26/17 | .0101(d) | 260.2(b), (d) | June 26, 2018 | June 26, 2018 | October 10, 2019 | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0106(e) | 261.39(a) | | | | |
| | | .0107(f) | 262.83(b), (f), 262.84(b), (f) | | | | |
| Response to Vacatur of Certain Provisions of the Definition of Solid Waste Rule (2018) | 83 FR 24664, 5/30/18 | .0103(c) | 260.30(f), 260.31(d), 260.42, 260.43, | May 30, 2018 | May 30, 2018 | October 10, 2019 | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules. See Revisions to the Definition of Solid Waste (2015) on this document. |
| | | .0106(a) | 261.4(a)(23), 261.4(a)(24), 261.4(a)(25) | | | | |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|--|---------------------------------------|---|--|------------------------|----------------------------------|--------------------------|--|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Hazardous Waste Generator Rule Improvements Rule | 81 FR 85732, 11/28/16 | .0101(d), (e); .0102(b) | 260.3, 260.10, 260.11 | May 30, 2017 | March 1, 2018 | October 10, 2019 | North Carolina adopted all provisions of this federal rule.+ In addition: - 15A NCAC 13A .0107(a) requires a small quantity generator to maintain aisle space of at least two feet in central accumulation areas. - 15A NCAC 13A .0107(i) requires a large quantity generator to maintain aisle space of at least two feet in central accumulation areas. - 15A NCAC 13A .0107(d) requires small and large quantity generators to keep records and results of inspections. |
| | | .0106(a), (d), (i) | 261.1, 261.4, 261.6, 261.33, 261.420 | | | | |
| | | .0107(a)-(j) | 262.1, 262.10-262.18, subpart B & C, 262.34, 262.35, 262.40, 262.41, 262.43, 262.44, subpart K, L, M | | | | |
| | | .0108(a) | 263.12 | | | | |
| | | .0109(b), (c), (f), (i), (k), (v), (w), (y) | 264.1, 261.15, 264.71, 264.75, 264.170, 264.174, 264.191, 264.195, 264.1030, 264.1050, 264.1101 | | | | |
| | | .0110(a), (b), (e), (i), (j), (s), (t), (v) | 265.1, 265.15, 265.71, 265.75, 265.174, 265.195, 265.201, 265.1030, 265.1050, 265.1101 | | | | |
| | | .0111(c), (f) | 266.80, 266.255 | | | | |
| | | .0112(a), (e) | 268.1, 268.7, 268.50 | | | | |
| | | .0113(a), (g) | 270.1, 270.42 | | | | |
| | | .0118(b) | 279.10 | | | | |
| .0119(a), (g) | 273.8, 273.81 | | | | | | |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|--|--|-------------------------------------|--|------------------------|----------------------------------|--------------------------|--|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Imports and Exports of Hazardous Waste | 81 FR 85696, 11/28/16; 82 FR 41015, 8/29/17 | .0101(e); .0102(b) | 260.10, 260.11 | December 31, 2016 | December 31, 2016 | October 10, 2019 | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0106(a) & (e) | 261.4, 261.6, 261.39 | | | | |
| | | .0107(a), (d), (f), (j) | 262.10, 262.12, 262.41, subpart E, F, H | | | | |
| | | .0108(a) & (b) | 263.10, 263.20 | | | | |
| | | .0109(c) & (f) | 264.12, 264.71 | | | | |
| | | .0110(b) & (e) | 265.12, 265.71 | | | | |
| | | .0111(b) & (c) | 266.70, 266.80 | | | | |
| | | .0119(b), (c), (d), (e), (f) | 273.20, 273.39, 273.40, 273.56, 273.62, 273.70 | | | | |
| Disposal of Coal Combustion Residuals from Electric Utilities | 80 FR 21302, 4/17/15 | .0106(a) | 261.4(b)(4) | October 14, 2015 | October 14, 2015 | October 10, 2019 | This federal provision was automatically incorporated by reference with no amendments required to be made to the state rules.** |
| Vacatur of the Comparable Fuels Rule and the Gasification Rule | 80 FR 18777, 4/8/15 | .0102(b) | 260.10 | April 8, 2015 | April 8, 2015 | October 10, 2019 | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0106(a), (e) | 261.4, 261.38 | | | | |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|---|--------------------------------------|-------------------------------------|--|------------------------|----------------------------------|--------------------------|--|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Revisions to the Definition of Solid Waste (2015) | 80 FR 1694, 1/13/15 | .0102(b), (c) and .0103(a)-(c) | 260.10, 260.30, 260.31, 260.33, 260.34, 260.42, 260.43 | July 13, 2015 | December 1, 2015 | October 10, 2019 | Through temporary rulemaking, the provisions were effective in North Carolina on December 1, 2015. NC completed permanent rulemaking on July 1, 2016, but the effective date of the provisions is still December 1, 2015.+ |
| | | .0106(a), (f)-(l) | 261.1, 261.2, 261.4(a)(23), 261.4(a)(24), 261.4(a)(27), 261 subpart I, J, M, AA, BB, CC, | | | | |
| Revisions to the Export Provisions of the Cathode Ray Tube (CRT) Rule | 79 FR 36220, 6/26/14 | .0102(b) | 260.10 | December 26, 2014 | December 26, 2014 | October 10, 2019 | These federal provisions were automatically incorporated by reference with no amendments required to be made to the state rules.** |
| | | .0106(e) | 261.39(a), 261.41(a) | | | | |

Summary and Status of Recent Hazardous Waste Rules in North Carolina

| Recent Federal Rules Already In Effect In North Carolina | | | | | | | |
|---|--|-------------------------------------|--|------------------------|----------------------------------|--------------------------|----------------------|
| Federal Rule Title | Federal Register Information | Specific Rules/Regulations Affected | | Federal Effective Date | Effective Date in North Carolina | Date of NC Authorization | Comments |
| | | State Rules (15A NCAC 13A ...) | Federal Rule Incorporated by Reference (40 CFR...) | | | | |
| Hazardous Waste Electronic Manifest Rule | 79 FR 7518, 2/7/14 | 0101(b) | 260.2 | August 6, 2014 | July 1, 2016 | October 10, 2019 | |
| | | .0102(b) | 260.10 | | | | |
| | | .0107(b) | 262.20(a)(3), 262.24, 262.25 | | | | |
| | | .0108(b) | 263.20, 263.25 | | | | |
| | | .0109(f) | 264.71 | | | | |
| | | .0110(e) | 265.71 | | | | |
| Conditional Exclusion for Solvent Contaminated Wipes | 78 FR 46448, 7/31/2013 | .0102(b) | 260.10 | January 31, 2014 | January 31, 2014 | October 23, 2015 | + Guidance Documents |
| | | .0106(a) | 261.4(a)(26), 261.4(b)(18) | | | | |
| Academic Laboratories Generator Standards, Alternative Standards for Hazardous Waste Determination and Accumulation | 73 FR 72912, 12/1/2008 | .0106(a) | 261.5(c)(7) | December 31, 2008 | April 1, 2010 | October 23, 2015 | + Guidance Documents |
| | | .0107(g) | 262.10(l), 262 subpart K (262.200-216) | | | | |

- * Authorization does not have any bearing on rules being effective in North Carolina. Authorization allows federal enforcement of the state regulations and allows North Carolina to maintain the RCRA Hazardous Waste Management Program in lieu of EPA.
- ** Amendment of state rules is not required/necessary due to the use of prospective adoption wording in the state rules (e.g. *"40 CFR 273.10 through 273.20 (Subpart B), "Standards for Small Quantity Handlers of Universal Waste" are incorporated by reference including subsequent amendments and editions."*) so these new federal provisions are automatically adopted in the state rules.
- *** The list of Federal Rules Not Yet in Effect or Federal Rules that Require North Carolina Rulemaking is all inclusive. The list of Federal Rules Already In Effect In North Carolina is not all inclusive and only includes recent federal rules.
- + NCDEQ, Hazardous Waste Section guidance documents can be found at this link:
<https://deq.nc.gov/about/divisions/waste-management/hw/technical-assistance-education-guidance/documents>