

Report to
Legislative Council Rules Clearinghouse
NR 660, 662, 663, 664, 665 and 666, Wis. Adm. Code
Natural Resources Board Order No. WA-30-06

Wisconsin Statutory Authority

ss. 227.11(2)(a), 227.14(1m), 291.05(5)(a), (6)(b) and (7) and 291.07(2), Stats., interpreting ss. 227.14(1m)(b), 291.21(6), 291.23(2) and 291.25(3), Stats.

Federal Authority

40 CFR 260 et seq., 70 FR 10776 (March 4, 2005) and correcting amendments adopted at 70 FR 35034 (June 16, 2005)

Court Decisions Directly Relevant

None

Analysis of the Rule - Rule Effect - Reason for the Rule

The U.S. Environmental Protection Agency (EPA) recently promulgated significant revisions to the manifest regulations that take effect September 5, 2006. The new EPA regulations require the use of standard manifest forms in all states, and require certification from EPA in order to print the manifest forms. The new federal requirements will apply in all states, including Wisconsin, but will not override or supersede Wisconsin's current hazardous waste manifest requirements. To prevent legal confusion and potential conflicts with our current rules, they must be revised to the advantages of a single, uniform nationwide rule will be lost. The proposed rule parallels the new EPA regulations, which will standardize the content and appearance of the manifest form and continuation sheet (EPA Forms 8700-22 and 22a), make the forms available from a greater number of sources and adopt new procedures for tracking certain types of waste shipments with the manifest. The latter types of shipments include hazardous wastes that destination facilities reject, wastes consisting of residues from non-empty hazardous waste containers, and wastes entering or leaving the United States.

The Department has adopted these proposed rules as emergency rules effective September 5, 2006.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

EPA Forms 8700-22 and 8700-22a

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