

Notice of Hearing

The Department of Natural Resources will hold a public hearing on a permanent rule to revise chs. NR 660 to 679, Wis. Adm. Code, relating to the to the modification and expansion of universal waste management regulations to include aerosol cans, clarification of destination facility requirements, and clarification on the management requirements of intentionally broken or crushed lamps, at the time and virtual location shown below.

This hearing will also include the public hearing for:

- A permanent rule to revise chs. NR 600-679, Wis. Adm. Code, to update test methods for ignitability determinations, clarify the definition of aqueous solutions, and correct cross-referencing language to align with the Department of Transportation.
- A permanent rule to revise chs. NR 660 to 679, Wis. Adm. Code, related to technical corrections and clarifications of state hazardous waste regulations.

Hearing Information

Date: May 8, 2024

Time: 10:00 a.m.

Join this hearing on Zoom: <https://us02web.zoom.us/j/85407372739>

Join by phone: 888-475-4499

Meeting ID 85407372739

Registration will be required to participate. You may register as you join using the link above or register ahead of time:

<https://us02web.zoom.us/meeting/register/tZEpd-6rqTktGd1uQoQGI4Bn7XUX6ZiM0q3y>

Rule Information:

The proposed rules will amend chs. NR 660 to 679, Wis. Adm. Code, to incorporate federal universal waste requirements, including the addition of aerosol cans as a universal waste, universal waste destination facility management clarifications, and requirements pertaining to intentionally crushed or broken lamps and the resulting residues and wastes. The department intends to adopt content and format equivalent to the promulgated federal regulations.

Accessibility

For the hearing or visually impaired, non-English speakers, or those with other personal circumstances which might make communication at the meeting/hearing difficult, DNR will, to the maximum extent possible and with reasonable advance notice, provide aids including an interpreter, or a non-English, large-print, or recorded version of hearing documents. To access

these resources, please contact the email address or phone number listed below as soon as possible.

Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, either use the Zoom link above prior to the day of the hearing or download and complete the fillable [hearing appearance form](#) and send it to Catherine.Baerwald@wisconsin.gov.

Written comments on the proposed rule must be received on or before May 15, 2024. These comments may be submitted by U.S. mail, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing.

Written comments and any questions on the proposed rules should be submitted to:

Department of Natural Resources
Attn: Cathy Baerwald
Department of Natural Resources
Southeastern Region Headquarters
1027 W. St. Paul Ave.
Milwaukee, WI 53233-2641
Catherine.Baerwald@wisconsin.gov

The rule may be viewed at: <https://dnr.wi.gov/news/input/ProposedPermanent.html>

Comments can be made at: DNRAAdministrativeRulesComments@wisconsin.gov

The rule may be reviewed, and comments made at:
<http://docs.legis.wisconsin.gov/code/chr/hearings>.

Initial Regulatory Flexibility Analysis:

The department anticipates minimal economic impact to small businesses as a result of the proposed rule. Federal rules require an economic impact analysis for promulgation and the universal waste rules were deemed by federal analysis to cause “minimal impact” with little or no change in market prices or production. The addition of aerosol cans as a universal waste is not expected to adversely affect a significant number of small entities, since the rule is expected to result in net cost savings for all entities affected by the rule. This action will either relieve a regulatory burden or impose no net regulatory burden for all directly regulated small entities.

These federal rules were intended to provide clarity and will result in a reduction in regulation for facilities selecting to manage hazardous waste under the universal waste management options. The federal universal waste rule package, and any additional Wisconsin-specific universal waste management provisions, allow for more flexible methods of accumulation, storage and transport of universal wastes. These changes will promote the collection and recycling of these universal wastes and encourage the development of municipal and commercial

programs to reduce the quantity of these wastes going to municipal solid waste landfills or combustors. This rule package also includes clarification of federal requirements pertaining to universal waste destination facilities and intentional breaking and crushing of universal waste lamps.

The adoption of these regulations into Wisconsin Administrative Code will likely have some impact on all regulated classes of hazardous waste generators which include manufacturers, commercial and retail establishments, and healthcare facilities that generate aerosols.

Agency Small Business Regulatory Coordinator:

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