.0114 REQUIREMENTS FOR AUTHORIZATION OF STATE HAZARDOUS WASTE PROGRAMS - PART 271

40 CFR 271.17, "Sharing of information", has been incorporated by reference including subsequent amendments and editions.

SUBPART A -- REQUIREMENTS FOR FINAL AUTHORIZATION

271.17 Sharing of information.

(a) Any information obtained or used in the administration of a State program shall be available to EPA upon request without restriction. If the information has been submitted to the State under a claim of confidentiality, the State must submit that claim to EPA when providing information under this subpart. Any information obtained from a State and subject to a claim of confidentiality will be treated in accordance with the regulations in 40 CFR Part 2. If EPA obtains from a State information that is not claimed to be confidential, EPA may make that information available to the public without further notice.

(b) EPA shall furnish to States with approved programs the information in its files not submitted under a claim of confidentiality which the State needs to implement its approved program. EPA shall furnish to States with approved programs information submitted to EPA under a claim of confidentiality, which the State needs to implement its approved program, subject to the conditions in 40 CFR Part 2.

(c) (1) The State program must provide for the public availability of information obtained by the State regarding facilities and sites for the treatment, storage, and disposal of hazardous waste. Such information must be made available to the public in substantially the same manner, and to the same degree, as would be the case if the Administrator was carrying out the provisions of Subtitle C of RCRA in the State.

(2) A State must revise its program to comply with his section in accordance with Section 271.21(e)(2)(ii). Interim authorization under Section 271.24 is not available to demonstrate compliance with this section.

History Note: Statutory Authority G.S. 130A-294(c); 150B-21.6;
Eff. January 1, 1986.
Amended Eff. June 1, 1988; December 1, 1987; August 1, 1987;
May 1, 1987; February 1, 1987; October 1, 1986.
Transferred and Recodified from 10 NCAC 10F .0041 Eff. April 4, 1990;
Amended Eff. April 1, 1993; October 1, 1990; August 30, 1990;
. Recodified from 15A NCAC 13A .0014 Eff. December 20, 1996.

NOTE: "ALL READERS OF THESE REGULATIONS SHOULD BE AWARE THAT THE DIRECTOR OF THE OFFICE OF ADMINISTRATIVE HEARING MAY MAKE EDITORIAL CHANGES IN THE ORDER, TITLES, NUMBERING, OR OTHER SUCH CHANGES UNDER G.S. 150B-61; HOWEVER, SUCH CHANGES DO NOT ALTER THE EFFECTIVE DATE OF THE SUBSTANCE OF THE RULE."