
40 C.F.R. § 272.1351

Montana State–Administered Program: Final Authorization.

- (a) *History of the State of Montana authorization.* Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), Montana has final authorization for the following elements as submitted to EPA in Montana's base program application for final authorization which was approved by EPA effective on July 25, 1984. Subsequent program revision applications were approved effective on March 21, 1994, December 24, 1996, December 26, 2000, November 29, 2005, June 26, 2009, and October 16, 2023.
- (b) *Enforcement authority.* The State of Montana has primary responsibility for enforcing its hazardous waste management program. However, EPA retains the authority to exercise its inspection and enforcement authorities in accordance with sections 3007, 3008, 3013, 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, 6973, and any other applicable statutory and regulatory provisions, regardless of whether the State has taken its own actions, as well as in accordance with other statutory and regulatory provisions.
- (c) *State statutes and regulations — (1) Incorporation by reference.* The Montana regulations cited in paragraph (c) (1)(i) of this section are incorporated by reference as part of the hazardous waste management program under Subtitle C of RCRA, 42 U.S.C. 6921 *et seq.* The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For the availability of this information at the National Archives and Records Administration and at the EPA, see § 272.2(b). You may obtain copies of the Montana regulations that are incorporated by reference in this paragraph from Montana Secretary of State, Administrative Rules Services, P.O. Box 202801 Helena, MT 59620–2801, Phone: (406) 438–6122.

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