

## Notice of Hearing

The Department of Natural Resources announces that it will hold public hearings on a permanent rule to revise ch. NR 600, relating to the generation, transportation, recycling, treatment, storage, and disposal of hazardous waste, universal waste, pharmaceuticals, and used oil, at the times and places shown below.

### Hearing Information

Date: July 25, 2019

Time: 9:00 a.m.

Location: Department of Natural Resources Green Bay Service Center, 2984 Shawano Avenue, Green Bay WI; Lake Michigan Conference Room

Date: July 26, 2019

Time: 9:00 a.m.

Location: Department of Natural Resources Milwaukee Service Center, 2300 N. Martin Luther King, Jr. Dr., Milwaukee, WI; Room 141

Date: July 29, 2019

Time: 9:00 a.m.

Location: Department of Natural Resources, 101 S. Webster St., Madison, WI; Room G27A

### Rule Information

In order to meet the statutory requirement to maintain authorization of the federal hazardous waste program in Wisconsin, the department must adopt rules at least as stringent as EPA's RCRA regulations. These rule revisions primarily focus on EPA rules promulgated between 2013 and 2018.

### Accessibility

1. Hearing impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter at least 10 days before the date of the scheduled hearing, by writing to e-mail [ruth.odonnell@wisconsin.gov](mailto:ruth.odonnell@wisconsin.gov).
2. Alternatively, you may contact the Department of Natural Resources TDD at (608) 267-6897. The hearing facility is accessible to disabled users.
3. Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call with specific information on your request at least 10 days before the date of the scheduled hearing.
4. Handicap access is available at the hearing location.

## **Appearances at the Hearing and Submittal of Written Comments**

The public has the opportunity to testify at the hearing. Registration will take place at the hearing by completing a Hearing Appearance form, which will be provided. Comments on the proposed rule must be received on or before August 5, 2019. The Hearing Appearance form also can be used for submitting a written comment at the hearing. Written comments may be submitted by U.S. mail, fax, 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:

Attn: Ruth O'Donnell  
Hazardous Waste Prevention and Management  
Department of Natural Resources  
141 NW Barstow, RM 180  
Waukesha, WI 53188  
[DNRHazardousWasteRulesandGuidance@wisconsin.gov](mailto:DNRHazardousWasteRulesandGuidance@wisconsin.gov).

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

Comments can also be made at: [DNRAAdministrativeRulesComments@wisconsin.gov](mailto:DNRAAdministrativeRulesComments@wisconsin.gov)

### **Initial Regulatory Flexibility Analysis:**

Many parts of this rule may have an impact small business. The number of employees and gross revenue of entities that meet the definition of “small business” in s. 227.114 (i.e., one that employs 25 or fewer full-time employees or which has gross annual sales of less than \$5,000,000) are unknown, and these categories do not overlap with how federal and state hazardous waste regulations may apply. For example, very large businesses could be very small quantity generators (VSQGs) or not subject to these regulations at all. Likewise, some “small businesses” could be large quantity generators (LQGs) by virtue of the industry they are in.

Assuming all entities impacted by this rule are small businesses, we anticipate that the economic and fiscal impact of this rule will be moderate. We anticipate a state-wide compliance cost increase between \$334,785 to \$617,785 per year. A substantial part of these rules present flexibility of compliance in the existing rule and reduces the burden of entities affected by this rule. We estimate that this rule will save entities impacted by this rule in Wisconsin between \$840,533 to \$2,146,805.00 per year (Economic Benefit).

Federal rules require an economic impact analysis for promulgation, and the majority of these changes were deemed by federal analysis to cause “minimal impact, with little or no change in market prices or production.” Additionally, several are classified as “paperwork reductions” with minimal “new information collection burdens,” and several are relaxations of regulations, which will result in either direct (decreased regulatory costs) or indirect (administrative time savings) cost savings for businesses and entities in affected business sectors. Several of the federal

changes were promulgated under the authority of RCRA as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA).

Regulations promulgated under HSWA are immediately effective in all states, regardless of state authorization status and entities and businesses in affected sectors have already implemented required changes. Wisconsin proposes the adoption of these rules into the state code to make compliance less confusing for regulated entities.

**Agency Small Business Regulatory Coordinator:**

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Dated at Madison, Wisconsin \_\_\_\_\_

STATE OF WISCONSIN

DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_

Preston D. Cole, Secretary