

## 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 updating of test methods for ignitability determinations, clarifying the definition of aqueous solutions, and correcting cross referencing to align with the Department of Transportation, at the time and virtual location shown below.

This hearing will also address:

— A permanent rule to revise chs. NR 600 to 679, Wis. Adm. Code, to modify and expand universal waste management regulations, clarify destination facility requirements, and clarify management requirements for intentionally broken or crushed lamps.

— 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 objective of the proposed rule is to amend chs. NR 660 to 679, Wis. Adm. Code, due to changes made to the analogous federal regulations, specifically the U.S. EPA Rule Modernizing Ignitable Liquid Determinations, promulgated on July 7, 2020. The proposed rule:

- Updates outdated flash point test methods relating to ignitable hazardous waste determinations.
- Clarifies the definition of an aqueous solution.
- Corrects cross references to U.S. Department of Transportation (DOT) regulations.
- Removes obsolete information in the ignitability regulation.

## **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. The 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](mailto: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](mailto: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 proposed rule would likely affect all regulated classes of hazardous waste generators, testing laboratories, and treatment, storage and disposal facilities. The department, however, does not anticipate adverse economic impacts from implementing the proposed rule. EPA prepared an economic analysis of the potential costs and benefits associated with the Modernizing Ignitable Liquid Determinations rule, which would be adopted as part of this proposed rule revision. The federal rule provided additional clarity and updated test methods while also retaining current

procedures to provide entities increased flexibility. EPA's economic analysis indicates that the rule will cause "minimal impact," with little or no change in market prices or production, and projects implementation will result in annualized cost savings. EPA's analysis also shows qualitative benefits to human health and the environment through the reduced use of mercury thermometers. The department does not expect the other parts of the rule to affect any entity because they do not create new requirements or change existing requirements.

**Agency Small Business Regulatory Coordinator:**

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