



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Waste Management Board
<b>Virginia Administrative Code (VAC) citation</b>	<u>Primary Action</u> 9VAC20-81(Solid Waste Management Regulations)  <u>Secondary Actions</u> 9VAC20-60 (Virginia Hazardous Waste Management Regulations) 9VAC20-70 (Financial Assurance Regulations for Solid Waste Disposal, Transfer, and Treatment Facilities) 9VAC20-85 (Coal Combustion By-products Regulations) 9VAC20-120 (Regulated Medical Waste Management Regulations) 9VAC20-130 (Solid Waste Planning and Recycling Regulations) 9VAC20-140 (Regulations for the Certification of Recycling Machinery and Equipment for Tax Exemption Purposes) 9VAC20-150 (Waste Tire End User Reimbursement Regulations) 9VAC20-160 (Voluntary Remediation Regulations) 9VAC20-170 (Transportation of Solid and Medical Wastes on State Waters)
<b>Regulations title</b>	Waste Management Regulations (see specific titles above)
<b>Action title</b>	Amendment 8 – Technical Correction and Citation Update
<b>Final agency action date</b>	May 27, 2011
<b>Document preparation date</b>	

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 14 (2010) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

Amendment 7 to the Solid Waste Management Regulations amended and recodified these regulations creating 9VAC20-81, which became effective March 16, 2011. This current regulatory action is necessary for style and form changes and for technical corrections to that chapter and, as a secondary action, to make the appropriate citations changes in other waste management regulations.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

The Virginia Waste Management Board adopted the amendments at its meeting on May 27, 2011.

The regulation amendments are exempt from the state administrative procedures for adoption of regulations contained in Article 2 of the Administrative Process Act by the provisions of § 2.2-4006 A 3 of the Administrative Process Act as they are changes in form, style, and technical corrections.

**All changes made in this regulatory action**

*Please detail all changes that are being proposed and the consequences of the proposed changes. Detail new provisions and/or all changes to existing sections.*

<b>Current section number</b>	<b>Proposed new section number, if applicable</b>	<b>Current requirement</b>	<b>Proposed change and rationale</b>
9VAC20-60-261		Adoption requirements for 40 CFR 261	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-70-10		Definitions	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-70-50		Applicability	Update references to the Solid and Vegetative Waste Management Regulations to the appropriate 9VAC20-81 citations and correct other regulatory citations to the proper format.
9VAC20-70-70		Suspensions and revocations	Update references to the Solid and Vegetative Waste Management Regulations to the appropriate 9VAC20-81 citations and correct other regulatory citations to the proper format.
9VAC20-70-75		Forfeitures	Update references to the Solid and Vegetative Waste Management Regulations to the appropriate 9VAC20-81 citations and correct other regulatory citations to the proper format.
9VAC20-		Closure, post-closure care	Update references to the Solid and

70-90		and corrective action requirements	Vegetative Waste Management Regulations to the appropriate 9VAC20-81 citations and correct other regulatory citations to the proper format.
9VAC20-70-113		Financial assurance for corrective action	Update references to the Solid Waste Management Regulations to the appropriate 9VAC20-81 citations and correct other regulatory citations to the proper format.
9VAC20-70-210		Local government financial test	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-70-290		Wording of financial mechanisms	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81 and correct other regulatory citations to the proper format.
9VAC20-81-10		Definitions	Correct grammatical error for process rate definition.
9VAC20-81-35		Applicability of chapter	Technical correction for solid waste definition reference.
9VAC20-81-95		Identification of solid waste	Correction from part to section as definition of solid waste is within one section not a part of the regulations.
9VAC20-81-140		Operation requirements	Technical correction for cover requirement.
9VAC20-81-160		Closure requirement	Technical correction to correct an incorrect citation.
9VAC20-81-250		Groundwater monitoring program	Style updates for clarification and correction of amendment to modification (amendments are now called modifications).
9VAC20-81-260		Corrective action program	Style updates for clarification, correction of amendment to modification, and technical correction of an incorrect citation.
9VAC20-81-300		General (permitting criteria)	Technical correction of incorrect citation.
9VAC20-81-397		Exempt yard waste composting facilities	Technical corrections to appropriate citation and to correct reporting date.
9VAC20-81-470		Part B permit application for solid waste disposal facilities	Grammatical correction from parameter to perimeter.
9VAC20-81-485		Operations manual requirements for solid waste management facilities	Technical correction to appropriate citation.
9VAC20-81-490		Effect of the permit	Technical correction for clarification of requirement.
9VAC20-81-530		Recording and reporting required of a permittee	Typo correction to the catchline.
9VAC20-81-600		Modification of permits	Style correction for clarification.
9VAC20-85-10		Definitions of the Solid Waste Management Regulations	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-85-40		Applicability	Update reference to the Solid Waste Management Regulations from 9VAC20-80

			to 9VAC20-81.
9VAC20-85-50		Relationship to other regulations.	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81 and correct other regulatory citations to the proper format
9VAC20-85-60		Enforcement and appeals	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-85-90		Operations	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-85-150		General	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-85-180		Administrative procedures	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-120-10		Definitions	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-120-70		Relationship to other bodies of regulation.	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-120-100		Recycled materials	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-120-300		Methods of treatment and disposal	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-120-540		Analysis and management of the ash product; procedure; results and records; disposition of ash; ash storage	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-120-810		Amendments of permits	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-130-10		Definitions	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-130-60		Applicability of regulations	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-130-120		Planning requirements	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-140-10		Definition incorporated by reference	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-150-10		Definitions	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-150-20		Purpose	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.

9VAC20-160-10		Definitions	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-160-30		Eligibility criteria	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-170-30		Applicability	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.
9VAC20-170-40		Relationship to other regulations	Update reference to the Solid Waste Management Regulations from 9VAC20-80 to 9VAC20-81.

**Regulatory flexibility analysis**

*Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.*

This is an amendment for form, style, and technical correction only.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

There is no impact on the institution of the family or family stability.