



Hazardous Waste Rule Update

September 3, 2026

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ADEQ Panel

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Agenda

- Overview of EPA rules being adopted
- Other rule modifications
 - Technical corrections
 - Improvements to Arizona Administrative Code (A.A.C.) R18-8-271
 - Five-Year Review
 - Consumer Price Index (CPI) adjustment to hazardous waste fees



EPA Rules Being Adopted

7 rules promulgated by EPA since 2020 that ADEQ is proposing to incorporate by reference

- Modernizing Ignitable Liquids Determination
- Canada Import Export Recovery and Disposal Code Changes
- Test Method for Standards to Control Organic Emissions
- Technical Corrections for the Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule

EPA Rules Being Adopted (continued)

7 rules promulgated by EPA since 2020 that ADEQ is proposing to incorporate by reference

- Integrating e-Manifest with Hazardous Waste Exports and Other Manifest-Related Reports
- Management of Certain Hydrofluorocarbons and Substitutes under the American Innovation and Manufacturing Act
- Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Second Technical Corrections

Other Rule Modifications

Technical Corrections:

- Will remove previous state-level definitions or changes that are now covered by updated EPA regulations, making our state changes unnecessary.
- Will make technical corrections and clarifying changes to A.A.C. R18-8-271 which will eliminate redundant and unnecessary elements of 40 CFR 124.
 - Changes will streamline rules relating to hazardous waste public participation requirements so that they are all in one place.

Other Rule Modifications - 5 Year Review

This rulemaking will also incorporate other minor technical corrections proposed in the Five-Year Review Report for Chapter 8 approved by the Governor's Regulatory Review Council (GRRC) on June 3, 2025. These changes include:

- Adding to A.A.C. R18-8-260 a reference to the ADEQ webpage where the most up to date hazardous waste fee information can be found;
- Clarifying information regarding the purpose of the phone number provided for ADEQ's Emergency Response Unit in A.A.C. R18-8-264 & 265; and
- Updating incorporations by reference for incorporated EPA rules which have not changed since the last rule update.

Other Rule Modifications - Clarifying A.R.S. § 49-929 & 930 Registration Requirements

- This rulemaking will also streamline and clarify language in R18-8-260(L) regarding registration requirements for HW generators and transporters; treatment, storage, and disposal facilities; and resource recovery facilities.
 - Current rules make an incomplete reference to Arizona Revised Statutes (A.R.S.) § 49-929 and no reference A.R.S. § 49-930.
 - Updated rules will refer to directly to requirements of both statutes.



Other Rule Modifications - CPI Adjustment

This rulemaking will also revise the methodology for annual Consumer Price Index (CPI) adjustments to hazardous waste program fees in A.A.C. R18-8-260(M)(4).

- Current CPI language utilizes the US Bureau of Labor Statistics national CPI calculations.
- ADEQ seeks to change this language to the Phoenix-Mesa-Scottsdale CPI index published by the US Department of Labor.
 - This is the most narrowly tailored, region specific CPI data available, providing ADEQ a more accurate calculation of Arizona's cost changes.
 - This will also bring the hazardous waste fees into conformity with other Agency fees subject to CPI adjustment which rely on the Phoenix-Mesa-Scottsdale index.

CPI Clarification

- Currently, the annual CPI adjustment rounds to the nearest cent.
- The proposed rule would require the annual CPI adjustment to round **down** to the nearest cent.



Rulemaking Timeline

Rule Effective

June 2027

**Final Rule and Governor's
Regulatory Review Council
Approval**

April 2027

Today's Meeting

Sept. 3, 2026

**Notice of Proposed
Rulemaking**

November 2026



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