

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 13: Hazardous Waste Code

§ 1305. The Commission shall develop rules and the Administrator shall have the authority to implement measures and requirements that

Cite as: 27 CNCA § 1305

1. Establish requirements for any existing surface impoundment, landfill or other site where hazardous waste has been generated, stored, treated, transferred or disposal of, where there exists a risk that hazardous waste may migrate into waters of the Nation or otherwise cause adverse impacts on public health, safety or the environment. Such rules or requirements may require closure, cleanup, restoration, or such protective actions as double liners and leachate detection and collection systems, or any other measures as the Commission may deem necessary to protect public health, safety and the environment;
2. Prohibit or restrict the use of any specific disposal methods or practices for specific hazardous waste material, substances or classes, as may be necessary to protect human health and the environment;
3. Identify areas within the Cherokee Nation which are unsuitable for specific hazardous waste disposal methods, and deny permits for such disposal methods in such areas;
4. Require groundwater or surface water monitoring or other appropriate studies for any landfill, surface impoundment, land treatment site, pile or any site where hazardous waste or other wastes are generated, stored, treated, transferred, transported, recycled or disposed;
5. Waive or modify general permit application and issuance requirements for research and development permits, except for financial responsibility and public participation requirements;
6. Require oil or any other recycling facilities using hazardous waste to have a hazardous waste facility permit;
7. Require and issue permits for any activity associated with generating, storing, treating, transferring, transporting or disposing of hazardous waste, including such conditions as may be accessory to protect public health, safety and the environment; and
8. Require and issue permits for the storage of hazardous waste is aboveground or underground tanks or any other containment system.

Historical Data

LA 41-05, eff. December 15, 2005. Renumbered from 63 CNCA § 1305.