

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 13: Hazardous Waste Code

§ 1306. Adoption of federal requirements by reference

Cite as: 27 CNCA § 1306

A. Except as may be specified otherwise in this Code or Commission rules, orders or permits issued under the authority of the Cherokee Nation Environmental Quality Code or Hazardous Waste Code, the following are adopted by reference as minimum requirements that shall be applicable in Indian Country and enforceable by the Commission and Administrator:

1. The Resource Conservation and Recovery Act (RCRA): 42 U.S.C. § 3251 et seq. (repealed; see 42 U.S.C. § 6901 et seq.);
2. The Toxic Substances Control Act (TSCA): 15 U.S.C. § 2601 et seq. (1976); and
3. The following provisions of 40 C.F.R.:
 - a. Part 260—Hazardous waste management system: general,
 - b. Part 261—Identification and listing of hazardous waste,
 - c. Part 262—Standards applicable to generation of hazardous waste,
 - d. Part 263—Standards applicable to transporters of hazardous waste,
 - e. Part 264—Standards for owners and operators of hazardous waste treatment, storage, and disposal facilities,
 - f. Part 265—Interim status standards for owners and operators of hazardous waste treatment, storage, and disposal facilities,
 - g. Part 266—Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities,
 - h. Part 268—Lead disposal restrictions,
 - i. Part 270—EPA administered permit programs: the hazardous waste permit program,
 - j. Part 273—Standards for universal waste management,
 - k. Part 279—Standards for the management of used oil.

B. Nothing contained here shall be construed as allowing the Commission to establish standards or requirements that are less stringent than federal requirement.

Historical Data

LA 41-05, eff. December 15, 2005. Renumbered from 63 CNCA § 1306.