

**Revision Checklist 236 Summary**

<b>Rule Title:</b>	Imports and Exports of Hazardous Waste
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<b>Reference:</b>	81 <u>FR</u> 85696-85729
<b>Promulgation Date:</b>	November 28, 2016
<b>Effective Date:</b>	December 31, 2016; see compliance dates in section II.D of the preamble.
<b>Cluster:</b>	RCRA Cluster XXV
<b>Provision Type:</b>	HSWA
<b>Linkage:</b>	31, 49, 129, 152, 215, 222, 232
<b>Optional:</b>	No

**Summary:** This rule amends existing regulations regarding the export and import of hazardous wastes from and into the United States. EPA is making these changes to provide greater protection to human health and the environment by making existing export and import related requirements more consistent with the current import-export requirements for shipments between members of the Organization for Economic Cooperation and Development (OECD); enable electronic submittal to EPA of all export and import-related documents (e.g., export notices, export annual reports); and enable electronic validation of consent in the Automated Export System (AES) for export shipments subject to RCRA export consent requirements prior to exit.

**State Authorization:** This rule is placed in RCRA Cluster XXV. The State modification deadline is July 1, 2018 (or July 1, 2019 if a State statutory change is necessary). The provisions of this rule will take effect in all States on the effective date of the rule, since these import and export requirements will be administered by the Federal government as a foreign policy matter, and will not be administered by States. State programs are required to adopt the provisions in this rule to maintain their equivalency with the Federal program under 40 CFR 271.10(e).

When a State adopts the import/export provisions in this rule, they must not replace Federal or international references or terms with State references or terms. Only those States that have previously adopted the optional CRT conditional exclusion in 40 CFR 261.39, or the optional exclusions for samples in 40 CFR 261.4(d) and 40 CFR 261.4(e) are required to adopt the revisions related to those exclusions in this final rule. Note that this rule amends 40 CFR 271.10(e), 271.11(c)(4) and 271.12(i)(2).

**Attorney General (AG) Certification Guidance:** An Attorney General's certification of statutory authority is not necessary.

**Incorporation by Reference Guidance:** When a State adopts the import/export provisions in this rule, they must not replace Federal or international references or terms with State references or terms.