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bcc

Subject
(151113357) F019 Comment Submission

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23. Question/Comments
The Michigan Department of Environmental Quality (MDEQ) offers the following preliminary comments on the possible amendment to the listing definition of F019 and may offer further comments if the proposed amendment is published.

The MDEQ strongly supports amending the listing definition of F019 under the federal hazardous waste regulations. The MDEQ has been aware of this issue for years and continues to encourage the U.S. EPA to move forward and formally publish a proposed rule. We offer our support in furthering this project.

The MDEQ believes the analytical data collected to date through the delisting program, including the verification data, provides reliable data for making the decision to proceed with the proposed rulemaking. This information was collected through procedures and methods approved by the U.S. EPA. Further, much of this data was reviewed by a third party to validate the results.

The MDEQ supports the use of appropriate risk-based concentrations for

decision-making.

At this time the MDEQ would prefer that the proposal does not include a condition of testing the waste coupled with a narrow industry focus. We would prefer the proposal either (1) apply more broadly and require testing for key constituents (because some F019 processes are not represented by the existing data) or (2) apply more narrowly based on the existing data without additional analysis as a condition of exemption. Either way, the MDEQ wants to see some type of proposal published.

Please do not hesitate to contact me if we can be of assistance.

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