

§33CSR20 – Hazardous Waste Management System Rule Response to Public Comments from June 12-July 18, 2023

The WV Department of Environmental Protection (WVDEP), Division of Water and Waste Management (DWWM) commenced the public comment period for proposed legislative rule 33 C.S.R. 20 on June 12, 2023. The public comment period concluded on July 18, 2023, after satisfying the minimum 30-day period. A public hearing was held in the Coopers Rock Conference Hall, WVDEP in-person and virtually via google meet on July 18, 2023 at 5.30 PM, to accept oral and written comments regarding the proposed revisions to legislative rule 33 C.S.R. 20.

There were no changes made to 33 C.S.R. 20 because of the comment.

Comment #1: West Virginia Rivers Coalition: West Virginia Rivers Coalition supports WVDEP's proposed amendments to this rule that adopt the most current hazardous waste regulation.

The same comment was received by Email and at the public hearing.

Response *WVDEP thanks you for your comment and support.*

State of West Virginia
Department of Environmental Protection
WVDEP Public Hearing
Division of Water & Waste Management's Proposed 2024 Legislative Rule 33 CSR 20
Tuesday, July 18, 2023 - 5:30 p.m.
WVDEP Headquarters and Google Meet platform
Charleston, W.Va.

Before: Terry Fletcher, Chair

Jason Wandling, General Counsel

Albert Barbery

Johnsely S. Cyrus

Hiral Kukkillaya

Public Hearing: Tuesday, July 18, 2023 - 5:30 p.m.

Location: WVDEP Headquarters, Charleston, WV and Google Meet platform

PROCEEDINGS:

CHAIR: Good Evening. My name is Terry Fletcher, Chief Communications Officer for the West Virginia Department of Environmental Protection. Welcome to the DEP's public hearing for the Division of Water and Waste Management's Proposed 2024 Legislative Rules: 33 CSR 20 and 47 CSR 13.

With me tonight is Johnsely Cyrus and Albert Barbery with the Division of Water and Waste Management's permitting program, and Jason Wandling, General Counsel for the DEP. The purpose for this public hearing is to give you the opportunity to share your comments or information about these proposed rules with the DEP.

This hearing is being recorded so that the comments you share can be taken into consideration and entered into the public record for these proposed rules.

A decision will not be made this evening. All comments, including those provided here tonight, will be reviewed, and considered by the staff, and you will receive notification once a decision is made. The comment period for these proposed rules opened on June 12, 2023 and ends at the conclusion of this hearing.

Please note that comments can be submitted via regular mail and email. To ensure we have an accurate record of everyone attending in person and virtually this evening, we ask that you please provide your name and contact information for the official record. For those in attendance here at DEP headquarters, please fill out the sign in sheet at the back of the room. For those joining virtually, please enter your name and email address in the meeting chat, by clicking the small text bubble icon in the bottom right corner of your screen.

To ensure that we successfully achieve the purpose of this hearing, we ask that everyone be respectful and considerate of each other by refraining from:

- using foul language;
- name calling; and
- interrupting others while they are speaking.

We also ask that you keep your comments on the topic of these proposed rules so that our time together is used efficiently.

We will begin the hearing by receiving comments on 33 CSR 20, which relates to Hazardous Waste Management System.

Each commenter will be given 5 minutes to speak. If time allows, we will circle back to previous commenters to allow for additional testimony.

After all comments for 33 CSR 20 have been given, we will then receive comments on 47 CSR 13, relating to the state's Underground Injection Control program.

Again, each commenter will be given 5 minutes to speak, and if time allows, we will circle back to allow for additional testimony.

If you have written comments in addition to your oral comments, please hand them to me after you speak or at the end of the hearing, or email them to JohnSely Cyrus at Johnsely.Cyrus@wv.gov.

I will call on those in person first, in the order they appear on our sign in sheet, and then call on those participating virtually.

Thank you for bearing with me through these opening remarks and instructions.

We will now call our first speaker for 33 CSR 20:

There is no one in-person and if there is anyone joining virtually you may announce your name and provide your comments.

We have one speaker, Angie Rosser. Angie, you may go ahead with your comments.

Miss Rosser: I am Angie Rosser with West Virginia Rivers Coalition and my Email address is arosser@wvrivers.org.

And..I applaud again DEP for being a model when it comes to virtual and hybrid meeting formats and we encourage DEP to make that a standard practice and suggest that it is incorporated into the public participation plan. I understand that is under internal review.

On the rule, 33CSR20

West Virginia Rivers Coalition supports WVDEP's proposed amendments to this rule that adopt the most current hazardous waste regulation.

We agree these amendments are necessary to maintain consistency with the federal program and maintain state program approval of the hazardous waste regulations in the state of West Virginia.

And that's it on that rule.

CHAIR: Thank you Angie, appreciate that.

Those joining virtually would like to make additional comments?

Anyone else joining by phone that maybe can't hit the raise hand button and would like to make a comment. If so, just go ahead and announce your name and go ahead with your comments.

Going once..twice..ok

If there are no more comments on 33 CSR 20, we will close the comment period on this proposed rule and we now call our first speaker for 47 CSR 13.

WVDEP Public Hearing
Division of Water & Waste Management's Proposed 2024 Legislative Rule 33 CSR 20

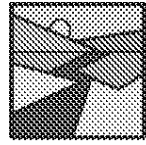
Tuesday, July 18, 2023 - 5:30 p.m.

WVDEP Headquarters, Charleston, W.Va and Google Meet platform.

ATTENDEES

Name	Organization (if applicable)
Terry Fletcher	WVDEP
Jason Wandling	WVDEP
Johnsely S. Cyrus	WVDEP
Albert Barbery	WVDEP
Hiral Kukkillaya	WVDEP
Jared Stewart	WVDEP
Angie Rosser	WVRivers Coalition
Mike Tony	mtony@hdmediallc.com

COMMENT RECEIVED BY EMAIL



WEST VIRGINIA RIVERS

July 18, 2023

WV Department of Environmental Protection

601 57th St. S.E.,

Charleston, WV 25304

Submitted electronically to Johnsely.Cyrus@wv.gov

RE: Proposed amendments to Hazardous Waste Management System, 33CSR20

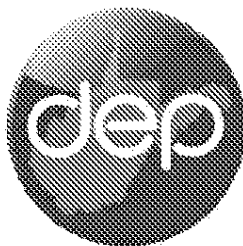
West Virginia Rivers Coalition supports WVDEP's proposed amendments to this rule that adopt the most current hazardous waste regulation.

We agree these amendments are necessary to maintain consistency with the federal program and maintain state program approval of the hazardous waste regulations in the state of West Virginia.

Thank you for considering these comments,

Angie Rosser

Executive Director



west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street, S. E. Charleston, WV 25304-2345
Phone (304) 926-0495
Fax (304) 926-0496

Harold D. Ward, Cabinet Secretary
dep.wv.gov

July 20, 2023

Angie Rosser, Executive Director
WV Rivers Coalition
3501 MacCorkle Ave SE #129,
Charleston WV 25304

CERTIFIED RETURN RECEIPT REQUESTED

RE: 33 CSR 20 Rule Modification-Public Comment

Ms. Rosser,

This is in response to your letter dated July 18, 2023, on the proposed amendments to Hazardous Waste Management System, 33CSR20.

As you are aware, the West Virginia Department of Environmental Protection (WVDEP) prepared a proposed rule change for 33 CSR 20, which was filed with the office of the Secretary of State on June 12, 2023, and posted on their website. A public hearing was held on July 18, 2023, at 5.30 PM in WVDEP, Charleston WV, both in-person and virtually via google meet.

WVDEP thanks you for the comments provided and there were no changes made to 33CSR20 because of the comment.

If you should have any questions, please contact Johnsely S. Cyrus, at Johnsely.Cyrus@wv.gov.

Sincerely,


Kathryn Emery, P.E.
Director

cc: Yogesh Patel, Chief Engineer
Julie Wandling