

ENVIRONMENT; OR WHICH CAUSES SUBLETHAL ALTERATIONS TO AQUATIC, PLANT, ANIMAL, OR HUMAN SYSTEMS THROUGH THEIR CUMULATIVE OR IMMEDIATE REACTIONS. THE TERM INCLUDES ANY MATTER IDENTIFIED AS A HAZARDOUS SUBSTANCE BY THE ENVIRONMENTAL PROTECTION AGENCY IN REGULATION 40 CFR PART 116.

[[(5) "HAZARDOUS SUBSTANCE" INCLUDES ANY MATTER DESIGNATED AS A HAZARDOUS SUBSTANCE BY THE ENVIRONMENTAL PROTECTION AGENCY IN REGULATION 40 CFR PART 116.]]

(6) "DESIGNATED HAZARDOUS SUBSTANCE HAULER" MEANS A PERSON CERTIFIED BY THE DEPARTMENT TO TRANSPORT DESIGNATED HAZARDOUS SUBSTANCES TO A FACILITY.

(7) "OPERATOR" MEANS ANY PERSON THAT OWNS OR OPERATES A FACILITY WHETHER BY LEASE, CONTRACT, OR ANY OTHER AGREEMENT.

(B) BY JANUARY 1, 1977 THE DEPARTMENT, WITH THE ADVICE OF THE COUNCIL, SHALL ADOPT REGULATIONS TO CARRY OUT THE PURPOSES OF THIS SECTION. THE REGULATIONS SHALL BE ADOPTED AFTER REVIEW AND APPROVAL BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE FOR PUBLIC HEALTH PURPOSES AND BY THE SECRETARY OF AGRICULTURE FOR MATTERS UNDER HIS JURISDICTION AS RELATED TO THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT.

(C) THE DEPARTMENT, IN ITS REGULATIONS, SHALL:

(1) IDENTIFY DESIGNATED HAZARDOUS SUBSTANCES;

(2) ESTABLISH CRITERIA AND DESCRIBE TESTS FOR IDENTIFYING LETHAL, SUBLETHAL, AND TOXIC EFFECTS; AND DETERMINING INJURIOUS EFFECTS OF DESIGNATED HAZARDOUS SUBSTANCES;

(3) ESTABLISH MINIMUM DESIGN CRITERIA FOR [[DISPOSAL SITES OR STORAGE AREAS]] FACILITIES;

(4) [[SET THE LIMITS ON]] ESTABLISH TYPES AND QUANTITIES OF [[MATERIALS]] DESIGNATED HAZARDOUS SUBSTANCES TO BE DISPOSED [[OR STORED]];

(5) [[SET REQUIREMENTS]] ESTABLISH PROCEDURES FOR MONITORING [[OF HAZARDOUS AND INDUSTRIAL SUBSTANCES] FROM THE TIME OF GENERATION TO THE TIME OF FINAL DISPOSAL]] DESIGNATED HAZARDOUS SUBSTANCES;

(6) SET MINIMUM REQUIREMENTS FOR OPERATION, MAINTENANCE, MONITORING, REPORTING, AND SUPERVISION OF FACILITIES;

(7) SET REQUIREMENTS AND PROVIDE FOR PROCEDURES FOR SELECTION OF DESIGNATED HAZARDOUS SUBSTANCE DISPOSAL SITES AND DISPOSAL METHODS;