§ 27-1315. Rules and regulations.

1. The commissioner shall have the power to promulgate rules and regulations necessary and appropriate to carry out the purposes of this title. Any regulations shall include provisions which establish the procedures for a hearing pursuant to subdivision four of section 27-1313 of this title and shall ensure a division of functions between the commissioner, the staff who present the case, and any hearing officers appointed. In addition, any regulations shall set forth findings to be based on a factual record, which must be made before the commissioner determines that a significant threat to the environment exists.

2. Such rules and regulations of the department as shall be in effect on the effective date of this subdivision that shall have been promulgated to carry out the purposes of this title shall be deemed to be revised, as of the effective date of this subdivision, to include the definition of "hazardous waste" as it appears in section 27-1301 of this title.