

# memorandum

July 23, 1996

DATE: Office of Environmental Policy and Assistance(EH-413):Coalgate:6-6075  
REPLY TO:  
ATTN OF: DEPARTMENTAL RESPONSES TO RCRA INFORMATION COLLECTION REQUESTS  
SUBJECT: Distribution  
TO: PURPOSE

The purpose of this memorandum is to inform Program Offices and Field Organizations of the availability of the Departmental responses to requests from the Environmental Protection Agency (EPA) for comments on improving the value of information submitted in Resource Conservation and Recovery Act (RCRA) permit applications, and during the conduct of select hazardous waste management activities.

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## BACKGROUND

On April 6, 1996, the EPA published two Information Collection Request (ICR) notices in the Federal Register (FR) soliciting public comments on improving the value of information submitted in response to RCRA notification, permitting, permit modification, and hazardous waste management facility and unit-specific requirements. The EPA also solicited suggestions for reducing the burden imposed upon the regulated community by information collection and submission requirements. The subject notices are:

- Agency Information Collection Activities; Proposed Collection Comment Request; Notification of Regulated Waste Activity Under the Resource, Conservation, and Recovery Act, Part A Hazardous Waste Permit Application and Modification, and Part B Permit Application, Permit Modifications, and Special Permits (61 FR 15065).
- Agency Information Collection Activities Up for Renewal; General Hazardous Waste Facility Standards; and Hazardous Waste Specific Unit Requirements, and Special Waste Processes and Types (61 FR 15066).

The Office of Environmental Policy and Assistance, RCRA/CERCLA Division (EH-413) distributed copies of the ICRs to Program Offices and Field Organizations on April 9, 1996.<sup>1</sup>

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<sup>1</sup>EH-413 Memorandum dated April 9, 1996, Subject: Information Collection Requests for (1) RCRA Permitting and (2) Hazardous Waste Management Facilities.

ISSUES

The Departmental responses, incorporating comments from Lawrence Livermore National Laboratory, Savannah River Operations Office, Grand Junction Project Office, Nevada Operations Office, and an internal EH-413 review, identified several Issues of concern with respect to information requirements for RCRA permitting and waste management activities. These concerns included the following:

- EPA's estimates of the length of time required to prepare notifications of regulated waste activities, RCRA permit, permit modification, and special Permits applications appear to be too low.
- Electronic transfers of information may expedite RCRA permitting; however, States do not always have the resources to implement electronic processing, and where they do, may require paper copies of the applications be submitted for their records.
- For Subpart X units, additional guidance is needed with respect to what constitutes adequate analysis and documentation in Subpart X permit and permit modification applications.

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FOR MORE  
INFORMATION

Copies of the Departmental responses submitted to EPA are available on the EH-41 Website for viewing and/or downloading at <http://www.eh.doe.gov/oepa> under the RCRA heading of the "Policy & Guidance" section.

If you have any questions regarding the subject information collection requests, or the Department's responses, please contact Jerry Coalgate of my staff by....

calling (202) 586-6075  
faxing messages to (202) 586-3915  
communicating electronically, via the Internet, to  
[jerry.coalgate@hq.doe.gov](mailto:jerry.coalgate@hq.doe.gov)

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Thomas L. Traceski  
Director, RCRA/CERCLA Division  
Office of Environmental Policy and Assistance

**DISTRIBUTION:** 06/24/96

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Milton Johnson, Princeton Area Office  
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A. R. Chernoff, Jr., Project Manager, Uranium Mill Tailings  
Remedial Action Project Office  
Wendy Dixon, Yucca Mountain Project Office  
Jeff Baker, NREL, Golden Office  
Jim Duskocil, SSCPO  
Ward Best, Ashtabula Area Office (AB)

cc: **Other Organizations**

National Low-Level Waste Management Program, EG&G Idaho  
Hazardous Waste Remedial Action Program, (HAZWRAP)  
Remedial Action Program Information Center  
Center for Environmental Management Information



The Deputy Secretary of Energy  
Washington, DC 20585

May 30, 1996

RCRA Docket Information Center  
Office of Solid Waste (5305W)  
U.S. Environmental Protection Agency Headquarters  
401 M Street, S.W.  
Washington, DC 20460

**Docket Number F-96-GFIP-FFFFF**

Dear Sir or Madame:

*Re: 61 FR 15066, "Agency Information Collection Activities up for Renewal; General Hazardous Waste Facility Standards; and Hazardous Waste Specific Unit Requirements, and Special Waste Processes and Types"*

On April 4, 1996, the Environmental Protection Agency (EPA) published the subject Federal Register (FR) Notice announcing that the Agency is planning to submit two continuing Information Collection Requests (ICRs) to the Office of Management and Budget (OMB): (1) ICR to allow collection of data for General Hazardous Waste Facility Standards [EPA ICR #1571 (OMB number 2050-0120)]; and (2) ICR to allow collection of data for Hazardous Waste Specific Unit Requirements and Special Waste Processes and Types [EPA ICR #1572 (OMB number 2050-0050)]. In this FR Notice, EPA asked for information and comments concerning the operating records that must be maintained by hazardous waste treatment, storage and disposal (TSD) facilities in response to these two ICRs.

The Department of Energy (DOE) appreciates the opportunity to raise concerns and provide input in response to the April 4, 1996, FR Notice. The enclosed comments refer to estimates presented and topics covered by the Notice, and are provided for EPA's consideration in evaluating options for reducing the burden and increasing the usefulness of the information collected in TSD facility operating records. These comments combine the viewpoints and concerns identified by Lawrence Livermore National Laboratory (LLNL) and DOE's Savannah River Operations, Nevada Operations, and Grand Junction Project Offices.

For clarity, each comment is preceded by a reference to the part of the Notice to which it applies.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray F. Pelletier".

Raymond F. Pelletier  
Director

Office of Environmental Policy and Assistance

Enclosure

**UNITED STATES DEPARTMENT OF ENERGY**  
**COMMENTS ON NOTICE OF AGENCY INFORMATION COLLECTION ACTIVITIES**

**FEDERAL REGISTER NOTICE (61 FR 15066; April 4, 1996)**

1. **p. 15067, col. 2** -- EPA requests comments on how the burden of ICRs on those who must respond might be minimized. Suggested possibilities were listed, including use of appropriate automated electronic, mechanical or other technological collection techniques.

While DOE believes electronic information transfers using the Internet or electronic mail may have the potential to expedite and centralize certain aspects of RCRA record-keeping and data collection, the Department also believes it would be impractical at this time to mandate that ICR responses be filed electronically. Even making such electronic filings optional may not reduce the burden of ICRs on respondents. It is DOE's experience that many state regulatory agencies do not have the equipment necessary to accommodate electronic filings. Furthermore, such agencies seldom have funding in today's economic environment for obtaining new equipment.

2. **p. 15067, col. 2** -- EPA requests comments on whether the proposed collection of information is necessary for the proper performance of the functions of the Agency.

DOE believes that the information included in both ICRs covered by this EPA notice is necessary and appropriate, given EPA's regulatory responsibilities as assigned by RCRA. The ICRs serve as a formal means of documenting TSD facility activities.

3. **p. 15067, col. 3** -- EPA states that its estimate of the cost burden on respondents to the ICRs covered by this notice are based on average hourly respondent labor cost (including overhead) of \$86.00 for legal staff, \$65.42 for managerial staff, \$42.82 for technical staff, and \$22.40 for clerical staff.

EPA's projected hourly labor cost seems reasonable compared to the fully burdened labor rates used for estimation purposes by DOE's Grand Junction Project Office. However, DOE notes that in other geographic locations, labor costs may be much higher, especially for legal services.