

**SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST NUMBER 0820.10
HAZARDOUS WASTE GENERATOR STANDARDS (Renewal)
January 2008**

TABLE OF CONTENTS

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title and Number of the Information Collection..... 1

1(b) Characterization of the Information Collection..... 1

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection..... 8

2(b) Use and Users of the Data..... 12

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA 17

3(a) Nonduplication..... 16

3(b) Consultations..... 16

3(c) Effects of Less Frequent Collection..... 16

3(d) General Guidelines..... 17

3(e) Confidentiality..... 17

3(f) Sensitive Questions..... 17

4. THE RESPONDENTS AND THE INFORMATION COLLECTED

4(a) Respondents and SIC Codes..... 17

4(b) Information Requested..... 18

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities..... 57

5(b) Collection Methodology and Management..... 60

5(c) Small Entity Flexibility..... 60

5(d) Collection Schedule..... 60

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION.....

6(a)	<u>Estimating Annual Respondent Burden</u>	62
6(b)	<u>Estimating Annual Respondent Costs</u>	62
6(c)	<u>Estimating Annual Agency Burden and Cost</u>	63
6(d)	<u>Estimating the Respondent Universe</u>	64
6(e)	<u>Bottom Line Burden Hours and Costs</u>	71
6(f)	<u>Reasons for Change in Burden</u>	71
6(g)	<u>Burden Statement</u>	71

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) TITLE AND NUMBER OF THE INFORMATION COLLECTION

Hazardous Waste Generator Standards (Renewal), ICR Number 0820.10.

1(b) CHARACTERIZATION OF THE INFORMATION COLLECTION

In the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, Congress authorized the U.S. Environmental Protection Agency (EPA) to develop and administer a national hazardous waste program. The core of the program is the regulation of hazardous waste from generation to eventual disposal, i.e., from “cradle to grave.” Sections 3001(d) and 3002 of RCRA authorize EPA to develop and promulgate regulations for generators of hazardous waste. Among other things, EPA is authorized to establish generator standards for recordkeeping, labeling, storage of wastes in tanks, containers, drip pads and containment buildings, use of a hazardous waste manifest system, and biennial reporting to EPA. [Note: This ICR does not cover any manifesting or biennial reporting requirements. Manifesting requirements are addressed in ICR Number 801. Biennial reporting requirements are addressed in ICR Number 0976.] In addition, RCRA section 3010 sets forth requirements for generators and other hazardous waste handlers to notify EPA of their hazardous waste activities. [Note: These notification requirements are addressed in ICR Number 0261.] Finally, RCRA section 3017 sets forth requirements for exporters exporting hazardous waste from the United States (e.g., notification and annual reporting requirements).

In 1980, EPA promulgated the principal elements of the generator requirements in 40 CFR part 262. These regulations have been amended on several occasions. This ICR discusses five categories of information collection requirements in part 262: pre-transport requirements; hazardous waste storage requirements for tanks, containment buildings and drip pads; air emission standards for large quantity generators (e.g., 40 CFR Subparts AA and BB for process vents and equipment leaks, respectively); recordkeeping and reporting requirements; and export requirements. Sections 1 through 5 of this ICR describe these information collection requirements. In Section 6, EPA estimates the annual burden and cost to respondents and the Agency in carrying out these requirements. (*Verify Sections.*)

A brief summary of the information collection requirements at 40 CFR part 262 is provided below.

HAZARDOUS WASTE DETERMINATION REQUIREMENTS

40 CFR 262.11 requires that, if a person generates a secondary material, he or she must determine if that waste is a solid waste, and possibly a hazardous waste. The person should first determine if the waste is excluded from regulation under 40 CFR 261.2 (the definition of solid waste), or determine if specifically excluded under 40 CFR 261.4. If the material is a solid waste, or not specifically excluded, he or she must then determine if the waste is characteristically hazardous under subpart C of 40 CFR part 261 by either testing the waste or applying knowledge of the hazard characteristics of the waste in light of the materials or the processes used, or listed as a hazardous waste in subpart D of 40 CFR part 261. His or her hazardous waste also may have less stringent requirements, (e.g., universal wastes (See 40 CFR part 273, materials used for precious metal recovery (See 40 CFR part 266 subpart C, etc. If the waste is determined to be hazardous, the generator must manage it according to applicable RCRA hazardous waste regulations, including land disposal restriction requirements under 40 CFR part 268.

LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

Large quantity generators (LQGs) are persons who generate 1,000 kilograms or more of hazardous waste in a calendar month. LQGs may accumulate hazardous waste on site for 90 days or less in tanks, containers, drip pads, or containment buildings without a permit or interim status if they comply with requirements specified in section 262.34.¹ There are seven categories of pre-transport information collection requirements applicable to LQGs included or referenced in section 262.34. They include: container labeling, personnel training, contingency planning and emergency procedures, tank systems, drip pads, containment buildings, air emissions, and requests for extensions of the accumulation period.

(1) Labeling

40 CFR 262.34(a)(2) and (3) require that LQGs label each container or tank accumulating hazardous waste with the date upon which each period of accumulation begins and the words "Hazardous Waste." Section 262.34(c)(1) requires LQGs accumulating either hazardous waste or acutely hazardous waste at or near the point of generation (i.e., at satellite accumulation areas) to mark the containers with the words "Hazardous Waste" or other words that identify the contents of the containers. Section 262.34(c)(2) further requires that, if the LQG accumulates hazardous waste or acutely hazardous waste at a satellite accumulation area in excess of specified amounts, the LQG must, within three days, move that excess waste to a 90-day accumulation area. During that three-day period, the LQG must continue to comply with section 262.34(c)(1) and mark the container holding the excess accumulation with the date the excess amount began accumulating.

(2) Personnel Training

Under section 262.34(a)(4), LQGs must comply with the personnel training requirements in 40 CFR 265.16(d) and (e). LQGs must document personnel training of hazardous wastes. Required information includes relevant job titles for each position and the name of each person filling each job, a written job description and necessary qualifications for each position, and the training given to the individual filling that position.

(3) Contingency Planning and Emergency Procedures

Under section 262.34(a)(4), LQGs must comply with the preparedness and prevention and contingency plan and emergency procedure requirements in subparts C and D of part 265. LQGs must record whether State or local authorities declined to enter into an arrangement to become more familiar with the generator's facility and its wastes, prepare and maintain contingency plans, and comply with emergency reporting requirements. The contingency plan describes the actions facility personnel will take should a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water occur. Local emergency response teams use the information required in the contingency plan to minimize unanticipated damage from the unintended release of hazardous waste.

¹ Note, however, that 40 CFR 262.34(g) provides that a generator who generates 1,000 kilograms or greater of hazardous waste per month who also generates wastewater treatment sludges from electroplating operations (F006), as specified, may accumulate F006 waste on site for more than 90 days, but no more than 180 days, without a permit or interim status, provided that the generator complies with specified requirements (i.e., basically the standards applicable to LQGs, as modified for the extended accumulation period.)

Other emergency reporting requirements under part 265 subpart D require the owner or operator to note in the operating record the time, date, and details of any incident that requires implementing the contingency plan and submit a report on the incident to the Regional Administrator within 15 days that includes such information as the name, address and telephone number of the owner or operator, the date, time, and type of incident, extent of injuries, etc. (§265.56(i)).

(4) Tank Systems

Section 262.34(a)(1) requires LQGs that accumulate hazardous waste in tank systems for 90 days or less to comply with part 265 subpart J. Depending on how the tank owner desires to comply with the regulations, he or she may need to perform one or more of the following:

- A no-free-liquids demonstration (§265.190(a));
- Existing tank system assessments (§265.191);
- An equivalent containment exemption (§265.193(d));
- A variance from secondary containment requirements (§265.193(g) and (h));
- Annual leak tests and inspection documentation (§265.193(i):§265.195(c)); or
- An exemption from the 24-hour leak detection requirement (§265.193(e)(3)(iii)).

In addition, if any LQG has a new tank or new components, he or she must perform new tank system assessments and certifications (§265.192(g)). If an LQG storing hazardous waste in tanks has a release and seeks an exemption from the 24-hour waste removal requirement (§265.196(b)), he or she may submit a demonstration that such removal is not possible. Any LQG that releases hazardous waste being stored in a tank to the environment must report the release and file a report with the Regional Administrator. Where any LQG repairs a tank, he or she must obtain a major repair certification and submit that certification to the Regional Administrator (§265.196(f)).

(5) Drip Pads

LQGs that accumulate hazardous waste on a drip pad may have to prepare, collect and/or submit information as specified at section 262.34(a) and part 265, subpart W. If they only have infrequent and incidental drippage, they may be exempt from the drip pad requirements, provided they submit a contingency plan that describes their clean-up response to such drippage (§265.440(c)(1)). Generators that have an existing drip pad must maintain on file an assessment of pad integrity (§265.441(a)) and submit a plan for upgrading the pad to regulatory standards to the Regional Administrator (§265.441(b)). These generators also must prepare and submit drawings and a certification of repairs or modifications to the Regional Administrator (§265.441(c)).

All generators using drip pads must maintain on file an assessment of the drip pad (§265.443(a)(4)(ii)), maintain records of releases from the pad in the operating log (§265.443(m)(1)(i)), and notify the Regional Administrator and provide written notice of any release of hazardous waste from the pad (§265.443(m)(1)(iv)). Should repairs be necessary, such hazardous waste generators must notify the Regional Administrator of the completion of repairs and provide certification of the repairs (§265.443(m)(3)). Generators using drip pads must document operating and waste handling practices in an operating log (§265.443(n)) and place a certification of the adequacy of the liner in that log (§265.444(a)). Finally, these generators must maintain a description of 90-day waste removal practices (§262.34(a)(1)(iii)(A)) and document each waste removal (§262.34(a)(1)(iii)(B)).

(6) Containment Buildings

LQGs that accumulate hazardous waste in a containment building may have to prepare, collect and/or submit information as specified in section 262.34 and/or part 265, subpart DD. LQGs must place a certification that the containment building meets design requirements in the operating record (§265.1101(c) and §262.34(a)(1)(iv))), enter a record of any release of hazardous waste (§265.1101(c)(3)(i)(A)), and notify the Regional Administrator of the release within 7 days and provide written notice within 14 days (§265.1101(c)(3)(i)(D)). Generators repairing containment buildings must notify the Regional Administrator of completion of the repairs (§265.1101(c)(3)(iii)). LQGs accumulating hazardous waste in containment buildings must also place monitoring data in the operating record at least every 7 days (§265.1101(c)(4)), place a description of procedures to maintain the integrity of areas lacking secondary containment in the record (§265.1101(d)), and document that the unit is emptied at least once every 90 days (§262.34(a)(1)(iv)(B)). Finally, such facilities must prepare written procedures for waste stored less than 90 days; document waste generation and management practices; and document that required procedures are satisfied (§262.34(a)(1)(iv)(A)).

(7) Requests for Extensions of the Accumulation Period

Section 262.34(b) allows LQGs to request from the Regional Administrator an extension (up to 30 days) of the accumulation period limit.

LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS

LQGs that accumulate hazardous wastes on site for 90 days or less in tanks or containers without a permit or interim status must comply with 40 CFR part 265, subparts AA (Air Emission Standards for Process Vents), BB (Air Emission Standards for Equipment Leaks), and CC (Air Emission Standards for Tanks, Surface Impoundments, and Containers), as applicable.

(1) Air Emissions from Process Vents

In 40 CFR part 265, subpart AA, EPA promulgated regulations governing emissions to air from process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations that manage hazardous wastes with organic concentrations of at least 10-ppmw if the unit: is subject to the permitting requirements of 40 CFR part 270; is not exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270; or is exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a 90-day tank or container) and is not a recycling unit under 40 CFR 261.6. To comply with these regulations, respondents must submit several information collections, including some or all of the following:

- Documentation describing the operation of and identifying process parameters that indicate proper operation and maintenance of control devices other than those specified under this part;
- Documentation of waste determination, if the waste determination was based on knowledge of the waste rather than testing (§265.1034(d)(2)); and
- An operating record containing documentation specified in section 265.1035(b)-(f) (§265.1035(b)).

(2) Air Emissions from Equipment Leaks

In 40 CFR part 265, subpart BB, EPA promulgated regulations governing emissions to air from equipment that contains or contacts hazardous wastes with organic concentrations of at least 10 percent by weight if the unit: is subject to the permitting requirements of 40 CFR part 270; is not exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270; or is exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a 90-day tank or container) and is not a recycling unit under 40 CFR 261.6. To comply with these regulations, respondents must submit several information collections, including some or all of the following:

- Notification that an owner/operator has decided to implement the alternative valves in gas/vapor service or in light liquid service standard specified in section 265.1061(a) (§265.1061(b)(1));
- Notification that an owner/operator no longer implementing the alternative standard specified in section 265.1061(a) will follow the work practice standards in section 265.1057(a) through (e) (§265.1061(d));
- Notification that an owner/operator has decided to implement the alternative standard for valves specified in either section 265.1062(b)(2) or (b)(3) (§265.1062(a)(2));
- Documentation of the determination that each piece of equipment does or does not contain or contact hazardous waste with organic concentration that equals or exceeds 10 percent by weight, if this determination was based on knowledge rather than testing (§265.1063(d)(3)); and
- Unit operating record containing documentation specified in section 265.1064(b)-(m) (§265.1064(b)).

(3) Air Emissions from Tanks, Surface Impoundments, and Containers

In 40 CFR part 265, subpart CC, EPA promulgated regulations governing emissions to air from containers, tanks, and surface impoundments subject to either subparts I, J or K, except as otherwise specified. [Note: The subpart CC requirements are not addressed in this ICR. They are examined in the ICR entitled, “Subpart CC - Standards of Performance for Air Emission Standards for Tanks, Surface Impoundments and Containers,” ICR Number 1593.]

SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

Generators who generate more than 100 kilograms and less than 1,000 kilograms of non-acute hazardous waste in a calendar month and less than 1 kilogram of acute hazardous waste in a calendar month are small quantity generators (SQGs). SQGs may accumulate up to 6,000 kilograms of hazardous waste for 180 days (or 270 days if the generator must transport the waste more than 200 miles to a hazardous waste management facility) without a permit or interim status if they comply with the requirements in part 262. Applicable information collection requirements for SQGs include labeling of containers or tanks as required by section 262.34(a)(2) and (3) for 180- or 270-day accumulation areas and by section 262.34(c)(1) and (2) for satellite accumulation areas. In addition, section 262.34(d) references section 265.37(b), which requires SQGs to document if State or local authorities decline to enter into arrangements to become familiar with the site and section 262.34(d)(5)(ii), which requires posting of emergency information near the phone. Section 262.34(d)(5)(iv) requires SQGs to notify and provide information to the fire department in the event of a fire, or the National Response Center immediately in the event of a fire, explosion, or other release which could threaten human health outside the facility or when the generator has knowledge that a spill has reached surface water. Finally, section 262.34(f) allows SQGs to request from the Regional Administrator an extension (up to 30 days) of the accumulation period limit.

RECORDKEEPING AND REPORTING REQUIREMENTS

All generators (both LQGs and SQGs) must comply with the recordkeeping and reporting requirements detailed in sections 262.40 and 262.43. Section 262.40(c) requires generators to keep records of any test results, waste analyses, or other determinations for at least three years. The period of recordkeeping is automatically extended during enforcement actions, and by the request of the Administrator. Section 262.43 requires generators to furnish additional reports regarding the volume and nature of their hazardous wastes, as deemed necessary by the Administrator.

EXPORT AND IMPORT REQUIREMENTS

All generators (both LQGs and SQGs) must comply with the export requirements detailed in 40 CFR 262 subpart E, sections 262.50 - .58, if applicable. These requirements apply to "primary exporters," individuals originating a manifest for the export of a shipment of hazardous waste, and intermediaries arranging the shipment (e.g., brokers). Persons meeting the definition of "primary exporter" are required to notify EPA of their intention to export hazardous waste, renotify EPA if the conditions of the original notification are altered, file an Annual Report with the Administrator summarizing the types, quantities, frequencies, and ultimate destination of all hazardous wastes exported during the previous year, and keep copies of relevant documents for a period of three years. 40 CFR part 262, subpart H requires similar notification by US exporters of hazardous waste to any OECD member country, however some additional information is required as part of the Notification of Intent to Export to these countries. Further, EPA may also request that primary exporters provide additional information, as requested by the receiving country.

Under subpart E export regulations, U.S. exporters also must complete and transmit a Uniform Hazardous Waste Manifest. The OECD Decision requires exporters of hazardous waste to complete and transmit a tracking document.² Some information required in the tracking document exceeds that

² Although the OECD Decision requires the use of a tracking document, the OECD only recommends forms for notification and tracking purposes. Neither the OECD nor the U.S. requires their use. Therefore, OECD member countries are allowed to use any document, provided all of the required information is contained in the document. If OECD decides to require the use of OECD forms, EPA will codify this requirement and assess the

presently required for the hazardous waste manifest. Most of the additional information required for the tracking document under the OECD Decision is information necessary for the OECD Notification of Intent to Export. A tracking document is required each time an export shipment of hazardous waste is initiated. This ICR addresses only the additional data elements, and not the basic US manifest requirements, which are addressed in ICR Number 801.

Under the non-OECD hazardous waste import regulations (40 CFR part 262, subpart F), U.S. hazardous waste management facilities regulated under 40 CFR part 264 or 265 must notify EPA at least four weeks prior to the date of receipt of hazardous waste imports. Importing facilities must confirm receipt of the shipment by sending a signed copy of the manifest to the generator, e.g., foreign generator or U.S. importer. The OECD Decision also requires recovery facilities importing hazardous waste into the U.S. to return signed copies of the tracking document to the foreign exporter and competent authorities of the concerned countries (exporting, importing, and transit, if any). The OECD Decision did not significantly change the previously existing requirements, but required the signing and transmission of additional copies of the tracking document and an expedition of this process (three working days instead of 30 days).

2. NEED FOR AND USE OF THE COLLECTION

2(a) NEED AND AUTHORITY FOR THE COLLECTION

Under sections 3001(d) and 3002 of RCRA, EPA is required to promulgate regulations applicable to generators of hazardous waste as necessary to protect human health and the environment.

HAZARDOUS WASTE DETERMINATION REQUIREMENTS

Under RCRA section 3001, Congress authorized EPA to develop and promulgate criteria for identifying the characteristics of hazardous waste, and for listing hazardous waste, which would be subject to the hazardous waste program. In implementing this mandate, EPA created the hazardous waste determination requirements at 40 CFR 262.11. These requirements provide that generators must determine if their solid waste is listed or exhibits a hazardous characteristic based on testing or knowledge of the waste. Hazardous waste determination requirements are needed to ensure that generators and subsequent handlers manage and dispose of the hazardous waste in compliance with the hazardous waste program.

LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

(1) Labeling

Section 262.34(a) and (c) require LQGs to label containers and tanks as specified (e.g., with the date accumulation began and the words, "Hazardous Waste"). EPA and LQGs need information on the time waste began accumulating for enforcement and monitoring purposes.

(2) Personnel Training

Section 262.34(a)(4) requires LQGs to maintain copies of personnel training documents and records (under §265.16(d) and (e)) at their facilities. Both EPA and LQGs need information in personnel

burden.

training records to determine whether employees have acquired the necessary expertise to perform their jobs. EPA also needs this information to review personnel records to determine whether employees are receiving a level of training that is commensurate with their duties and responsibilities as well as their ability to respond to any emergency situations at the facility. Requiring generators to maintain personnel training documents decreases the likelihood that employees are unqualified to handle hazardous waste or respond to emergencies. The personnel recordkeeping requirement contributes to EPA's goal of minimizing the potential for employee-related mistakes that may threaten human health and the environment.

(3) Contingency Planning and Emergency Procedures

Under section 262.34(a)(4), LQGs must comply with subparts C and D of part 265, which detail requirements for contingency plans, and if necessary, emergency procedures, for effective action to minimize any unanticipated damage from the release of any hazardous waste. These regulations require LQGs to record whether State or local authorities declined to enter into arrangement to become more familiar with the generator's facility and its wastes, prepare and maintain contingency plans, and prepare emergency reports whenever imminent or actual emergency situations occur. EPA inspectors may review the contingency plans to determine whether LQGs have developed adequate procedures to respond to unplanned sudden or non-sudden releases of hazardous waste or hazardous constituents to air, soil, or surface water. Requiring LQGs to develop and maintain contingency plans and prepare emergency response reports contributes to EPA's goal of minimizing unanticipated damage from the accumulation of hazardous waste at generator sites.

(4) Tank Systems

Under section 262.34(a)(1)(ii), EPA requires LQGs that accumulate hazardous waste in tank systems to comply with subpart J of part 265. These requirements ensure that LQGs only operate tank systems that are fully protective of human health and the environment and that, if releases to the environment occur, action is taken immediately. These requirements also contribute to EPA's goal of preventing contamination of the environment from hazardous waste accumulation practices.

(5) Drip Pads

Under section 262.34(a)(1)(iii), EPA requires LQGs that accumulate hazardous waste on drip pads to comply with subpart W of part 265, as well as to describe and document waste removal. These requirements ensure that drip pads are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

(6) Containment Buildings

Under section 262.34(a)(1)(iv), EPA requires LQGs that accumulate hazardous waste in containment buildings to comply with subpart DD of part 265, as well as to document the existence of procedures that ensure the waste remains in the unit for no more than 90 days, that waste generation and management practices are consistent with 90-day storage, that these procedures are complied with, and that the unit is emptied at least every 90 days. These requirements ensure that containment buildings are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

(7) Requests for Extensions of the Accumulation Period

EPA promulgated regulations in section 262.34(b) allowing LQGs to request from the Regional Administrator extensions (up to 30 days) of the accumulation period limit due to unforeseen, temporary, and uncontrollable circumstances. EPA needs information about the extension to evaluate the cause of the generators' requests for extensions and to approve/deny requests. These requirements ensure that only generators genuinely in need of an extension are allowed to accumulate wastes longer than 90 days, and contribute to EPA's goal of preventing contamination of the environment.

LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS

(1) Air Emissions from Process Vents

In 40 CFR part 265, subpart AA, EPA promulgated regulations governing emissions to air from process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations that manage hazardous wastes with organic concentrations of at least 10-ppmw if the unit: is subject to the permitting requirements of 40 CFR part 270; is not exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFRp 270; or is exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a 90-day tank or container). EPA needs information from generator facilities concerning hazardous waste releases to air from process vents to ensure that activities and control devices used by such facilities are consistent with EPA's goal of preventing contamination of the environment.

(2) Air Emissions from Equipment Leaks

In 40 CFR part 265, subpart BB, EPA promulgated regulations governing emissions to air from equipment that contains or contacts hazardous wastes with organic concentrations of at least 10 percent by weight if the unit: is subject to the permitting requirements of 40 CFR part 270; is not exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270; or is exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a 90-day tank or container). EPA needs information from generator facilities concerning hazardous waste releases to air from equipment leaks to ensure that activities and equipment used by such facilities are consistent with EPA's goal of preventing contamination of the environment.

SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

(1) Labeling

Section 262.34(a)(2) and (3) and (c) require SQGs to label their containers and tanks as specified (e.g., with the words "Hazardous Waste" and the date that accumulation began). This information assists SQGs and EPA to monitor and enforce the accumulation requirements.

(2) Emergency Procedures

EPA promulgated regulations in Section 262.34 requiring SQGs to immediately notify the fire department in the event of a fire, or the National Response Center in the event of a fire, explosion, or other release which could threaten human health outside the facility, or when SQGs have knowledge that a spill has reached surface water. Applicable provisions also require SQGs to document if State or local authorities decline to enter into arrangements to become familiar with the site, and require SQGs to post emergency information near the phone. EPA needs this information in order to evaluate and, if necessary, respond to releases of hazardous waste into the environment. It also increases the likelihood that appropriate procedures are in place in case of an emergency. This information also contributes to EPA's goal of quickly responding to, and minimizing the deleterious effects of, hazardous waste releases into the environment.

(3) Requests for Extensions of the Accumulation Period

EPA promulgated regulations in section 262.34(f) allowing SQGs to request from the Regional Administrator extensions (up to 30 days) of the accumulation period limit for unforeseen, temporary, and uncontrollable circumstances. EPA needs information about the extension to evaluate the cause of the generators' requests for extensions and to approve/deny requests. These requirements ensure that only generators genuinely in need of an extension are allowed to accumulate wastes longer than 180/270 days (depending on the distance to an off-site destination), and contribute to EPA's goal of preventing contamination of the environment.

RECORDKEEPING AND REPORTING REQUIREMENTS

Authority for the recordkeeping requirements is derived from RCRA sections 2002 and 3002. In section 3002(a)(5), Congress directed EPA to establish requirements regarding "recordkeeping practices that accurately identify the quantities of such hazardous waste generated, the constituents thereof which are significant in quantity or in potential harm to human health or the environment, and the disposition of such wastes." In section 2002(a)(1), Congress authorized the Administrator to "prescribe, in consultation with Federal, State, and Regional authorities, such regulations as are necessary to carry out his functions." By requiring generators to keep copies of test results, waste analyses, or other records documenting that a waste is hazardous and to submit additional reports requested by EPA, EPA will have a better understanding of which waste streams at a facility are hazardous wastes. In addition, generators will have more immediate access to the information describing their hazardous wastes' composition; this information may be extremely important to prevent accidental releases (along with the resulting environmental and human health problems). Finally, this information may be useful to the generators in complying with reporting requirements of other environmental laws.

EXPORT AND IMPORT REQUIREMENTS

Authority for the export informational requirements is derived from RCRA section 3017. Section 3017 directs EPA to implement requirements for individuals exporting hazardous waste from the United States, including a notification of the intent to export, and an Annual Report summarizing the types, quantities, frequency, and ultimate destination of all exported hazardous waste. EPA also added additional requirements for generators to re-notify the EPA if the conditions of the original notification are altered and keep copies of relevant documents for a period of three years. EPA needs this additional information to ensure that foreign governments consent to U.S.-exported waste, to document that exported waste is actually managed at facilities listed in the original notifications, and to guarantee that these documents are available for compliance audits and any enforcement actions. These requirements contribute to EPA's goal of ensuring that all hazardous waste generated in the United States is managed in

a manner protective of human health and the environment.

EPA may also request that primary exporters provide additional information, as requested by the receiving country.

2(b) USE AND USERS OF THE DATA

HAZARDOUS WASTE DETERMINATION REQUIREMENTS

Hazardous waste generators must follow the waste determination requirements at 40 CFR 262.11 to ensure that they fully and accurately determine whether their solid wastes qualify as RCRA hazardous wastes. Generators who determine their solid waste to be hazardous must handle and dispose of the waste in compliance with the hazardous waste program. Generators have the flexibility to use either testing or knowledge of the waste in making their determinations.

LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

(1) Labeling

LQGs use the labeling information to maintain compliance with RCRA requirements.

(2) Personnel Training

Both EPA and LQGs use information in the personnel training records to ensure that personnel acquire the necessary expertise to perform their jobs. During inspections, EPA reviews job descriptions and training documents to determine whether each person is receiving a level of training that is commensurate with the person's duties and responsibilities as well as the ability to respond to any emergency situations at the facility.

(3) Contingency Plan and Emergency Procedures

Local emergency response teams, LQGs, and EPA use information included in the contingency plan to assure an appropriate response to any unplanned release of hazardous waste or hazardous waste constituents. EPA reviews information in the contingency plan and emergency report to determine whether additional site-specific emergency provisions are necessary.

EPA, as well as local and State government agencies responding to any releases, uses the information submitted by LQGs under section 262.34 to document and respond to any spills or other unplanned releases of hazardous wastes into the environment.

(4) Tank Systems

In section 262.34(a)(1), EPA requires LQGs that accumulate hazardous waste in tank systems to comply with standards detailed in part 265 subpart J. The following lists each information collection requirement that applies to tank systems and describes how EPA uses the information.

- A no-free-liquids demonstration (§265.190(a)). EPA uses this demonstration to decide whether it may exempt LQGs that meet this and other conditions (using tanks that contain no free liquids and are situated in a building with an impermeable floor) from the requirements of section 265.193.
- Existing tank system assessments (§265.191). EPA uses this information to assure that LQGs operating tank systems without secondary containment carefully evaluate the tank systems' primary containment capability to ensure that the tank systems are not leaking.
- New tank system assessments and certifications (§265.192). EPA uses new tank system assessments and certifications to assure that any new system components installed at the LQG facilities are appropriate for and will adequately contain hazardous waste.
- An equivalent containment exemption (§265.193(d)(4)). EPA may grant this exemption to LQGs that can demonstrate that their release containment system is equivalent to a liner, vault, or double-walled tank. This exemption lessens the burden on LQGs without compromising public health or the environment.
- An exemption from the 24-hour leak detection requirement (§265.193(e)(3)(iii)). EPA may grant this exemption to LQGs that can demonstrate that existing technologies or site conditions will not allow detection of a leak within 24 hours. This exemption allows these LQGs to use a system that will detect failure and contamination at the earliest practicable time.
- A variance from the secondary containment requirements (§265.193(g)). EPA may grant LQGs a variance from all secondary containment requirements if they can demonstrate that alternative design and operating principles, together with location characteristics, will be as protective of the environment as secondary containment. This variance lessens the burden on LQGs without compromising public health or the environment.
- A notification of intent to conduct and submit a demonstration for a variance from secondary containment (§265.193(h)). The Regional Administrator must be notified of the intent of an owner or operator to conduct and submit a demonstration for a variance from secondary containment so that EPA can evaluate and the public can participate in the process and to reduce the burden and costs without compromising protection of human health and the environment.
- Annual leak tests and inspections for LQGs using tests that do not meet the secondary containment requirements (§265.193(i)). EPA uses this information to ensure that hazardous wastes are not leaking into the environment.
- An exemption from the 24-hour waste removal requirement (§265.196(b)). EPA uses information submitted by LQGs under these sections to decide whether to grant the exemptions. EPA regulations require facilities at which there has been a spill to remove, within 24 hours, enough waste from the system to prevent further release and allow for inspection and repair of the tank. If the LQG can demonstrate that it is not possible to do so within 24 hours, EPA will allow the LQG to remove the waste at the earliest practicable time.

- Release notifications and reports, and major repair certifications (§265.196(d) and (f)). EPA uses release notifications and reports to document hazardous waste releases and track the progress of their cleanup. In cases in which a release has been caused by major system damage, the Agency uses the certifications to document that the system has been adequately repaired.

(5) Drip Pads

EPA requires LQGs that accumulate hazardous waste on drip pads to comply with contingency plan, assessment, upgrading, repair, and release-related information collection requirements, as well as to document the proper use of drip pads and compliance with 90 day waste removal requirements (§262.34(a)(1)(iii)). EPA uses these data to ensure that drip pads are protective of health and the environment and are designed, improved, repaired and used in a manner that is environmentally sound. Moreover, EPA uses this information to document compliance with the limitations placed on generators using drip pads for 90-day accumulation.

(6) Containment Buildings

EPA requires LQGs that accumulate hazardous waste in containment buildings to comply with certification, release notification, repair, and design-related requirements, as well as to document the existence of storage procedures that ensure the waste remains in the unit for no more than 90 days, that waste generation and management practices are consistent with 90-day storage, that these procedures are complied with, or that the unit is emptied at least every 90 days (§262.34(a)(1)(iv)). EPA uses this data to ensure that the containment building is designed according to applicable standards, that releases are reported and documented, and that necessary repairs are documented. The Agency also uses this information to document compliance with the 90-day limit on waste storage. Overall, these requirements ensure that containment buildings are used in a manner that is protective of human health and the environment.

(7) Requests for Extensions of the Accumulation Period

EPA uses the information submitted in the accumulation extension period request to determine whether a generator should be granted additional time to accumulate waste on site in unforeseen, temporary, and uncontrollable circumstances.

LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS

(1) Air Emissions from Process Vents

Records and reports required in 40 CFR part 265, subpart AA are used to enable EPA to: (1) identify generators that are not in compliance with the standard and (2) ensure that the standards required by section 3004(n) are being implemented effectively. Based on reported information, EPA can decide how many generator inspections will be needed, which generators should be inspected, and what records or processes should be reviewed at the generator unit. The records that generators will maintain will play a significant role for the unit owner or operator in assessing unit personnel efforts and in determining whether the unit is in compliance with the standard. The records will reveal misunderstandings about how the standard is to be implemented.

(2) Air Emissions from Equipment Leaks

Records and reports required in 40 CFR part 265, subpart BB are used for the same purposes as the information required under subpart AA, e.g., to identify generators that are not in compliance with the standards and take enforcement action, if needed.

SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

(1) Labeling

SQGs use the labeling requirements to ensure compliance with accumulation and handling requirements.

(2) Emergency Procedures

EPA, as well as local and State government agencies responding to any releases, uses the information submitted by SQGs under section 262.34(d)(5) to document and respond to any spills or other unplanned releases of hazardous wastes into the environment. EPA also uses this information to assess the needs and state of readiness of generators and to facilitate appropriate responses in cases of an emergency.

(3) Requests for Extensions of the Accumulation Period

EPA uses the information submitted in the accumulation period extension to determine whether an SQG should be granted additional time to accumulate waste on site in unforeseen, temporary, or uncontrollable circumstances.

RECORDKEEPING AND REPORTING REQUIREMENTS

In monitoring compliance and enforcing regulations, EPA relies on the recordkeeping requirements in sections 262.40 and .43 to provide a record of generators' hazardous waste generation, determination status (e.g., testing), and its eventual disposition.

EXPORT AND IMPORT REQUIREMENTS

EPA uses the information submitted by primary exporters to notify and seek consent of, in conjunction with the Department of State, the receiving country and any transit country of the export of hazardous waste. EPA also uses the export information to document that hazardous wastes being shipped to foreign treatment, storage, and disposal facilities are not diverted to other destinations. EPA uses information from importers to determine the number, origin, destination and type of imports to the U.S.

for tracking purposes and for reporting to the OECD as required by treaty. This information is also used to assess the efficiency of the program.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) NONDUPLICATION

Most of the information required by the regulations covered by this ICR is not available from any source but the respondents. In certain occasions, such as the notification of intent to export hazardous waste, EPA allows the primary exporter to submit one notice that covers activities over a period of twelve months.

Although some of the information required for the hazardous waste manifest and the tracking document is substantively the same, up to six pieces of additional information are required for the tracking document. In addition, these two documents serve different purposes. A signed copy of the hazardous waste manifest, which is not valid beyond U.S. borders, is dropped off at the U.S. Customs check point when the shipment leaves the U.S. to verify pertinent information, including point of departure, date, destination, and contents of the shipment. The tracking document must accompany the shipment until it reaches the foreign recovery facility. The signed tracking document is subsequently returned to EPA and the U.S. exporter to acknowledge receipt of the shipment in accordance with the OECD Decision.

In certain cases, some of the information on the tracking document also may be collected by the Department of Commerce in its Census Bureau form titled "Shipper's Export Declaration" (15 CFR part 30). This form, which is required for all shipments that have a value in excess of \$1,500, must be filed at the U.S. port of exit, similar to the current export requirements. However, the information contained in the Census Bureau's form is not adequate for EPA's purpose of tracking and identifying the export of hazardous waste from the U.S. For example, the wastes are identified by tariff codes that are less precise than the waste codes required by the tracking document.

3(b) CONSULTATIONS

The regulations covered by this ICR were promulgated using proper rulemaking procedures. EPA made every effort to consult with the general public, State and industry officials, and appropriate Federal agencies in developing the regulations. EPA held public hearings and received substantial comments. As a result, EPA has made a number of modifications to its original regulations.

EPA also contacted the following people affected either directly or indirectly by this ICR:

Name	Organization
Mr. Jeff Hannapel	The Policy Group Washington DC
Mr. Raju Patel	Abbott Laboratories North Chicago, Illinois
Mr. David J. Housby	Metal Finishing Co., Inc Wichita, Kansas
Mr. Adrian Araiza	Valero Energy Corp. Texas City, Texas
Ms. Carolyn Babcock	Weyerhaeuser Company Albany Paper Mill Albany, Oregon

Mr. Ross Edginton	East Side Plating Portland, Oregon
Ms. Stacy Aanenson	Safety-Kleen Systems Inc Isantine Blaine, Minnesota
Mr. Bob Cantor	Hard Chrome, Inc. Minneapolis, Minnesota
Mr. John Hallquist	Douglas Corp. Eden Prairie, Minnesota

In reviewing the previous supporting statement and after consultation with industry contacts familiar with this contingency plans, EPA revised the estimate of the affected LQG universe required to gather data for and prepare a new contingency plan. We revised the estimate from 22% of affected entities to 2% of affected entities.

In reviewing the previous supporting statement after consultation with industry contacts familiar with containment buildings, EPA revised the estimate of the number of LQGs that used containment buildings. The previous estimate was that 10% of the LQG facilities used a containment building, and we revised that estimate to 1%. Based on conversations with (specific persons or “industry contacts”), this is a conservative estimate.

In addition, EPA issued this supporting statement for public comment on September 7, 2007 (72 FR 51437). No comments were received.

3(c) EFFECTS OF LESS FREQUENT COLLECTION

EPA has carefully considered the burden imposed upon the regulated community by the generator standards. EPA is confident that those activities required of respondents are necessary, and to the extent possible, have attempted to minimize the burden imposed. EPA believes strongly that if the minimum requirements specified under the regulations are not met, neither the generators nor EPA can ensure that hazardous wastes are being properly managed, and do not pose a serious threat to human health and the environment.

3(d) GENERAL GUIDELINES

This ICR adheres to the guidelines started in the 1995 Paperwork Reduction Act (PRA), OMB’s implementing regulations, OMB’s Information Collection Review Handbook, and other applicable OMB guidance.

3(e) CONFIDENTIALITY

Section 3007(b) of RCRA and 40 CFR part 2, subpart B, which define EPA's general policy on the public disclosure of information, contain provisions for confidentiality.

3(f) SENSITIVE QUESTIONS

No questions of a sensitive nature are included in any of the information collection requirements.

4. THE RESPONDENTS AND THE INFORMATION COLLECTED

4(a) RESPONDENTS AND NAICS CODES

The following is a list of North American Industry Classification System (NAICS) codes, associated with generators most likely to be affected by the generator information requirements covered under this ICR:³

Table 2
List of NAICS Codes

NAICS code	Description
113	Forestry and Logging
115	Support Activities for Agriculture and Forestry
211	Oil and Gas Extraction
221	Utilities
311	Food Manufacturing
313	Textile Mills
314	Textile Product Mills
315	Apparel Manufacturing
316	Leather and Allied Product Manufacturing
321	Wood Product Manufacturing
322	Paper Manufacturing
323	Printing and Related Support Activities
324	Petroleum and Coal Products Manufacturing
325	Chemical Manufacturing
326	Plastics and Rubber Products Manufacturing
331	Primary Metal Manufacturing
333	Machinery Manufacturing
334	Computer and Electronic Product Manufacturing
335	Electrical Equipment and Appliance Manufacturing

³ 3 NAICS codes can be found in the Federal Register at 61 FR 57006, November 5, 1996.

336	Transportation Equipment Manufacturing
337	Furniture and Related Product Manufacturing
339	Miscellaneous Manufacturing
511	Publishing Industries
512	Motion Picture and Sound Recording Industries
541	Professional, Scientific, and Technical Services
561	Administrative and Support Services
812	Personal and Laundry Services

4(b) INFORMATION REQUESTED

HAZARDOUS WASTE DETERMINATION REQUIREMENTS

40 CFR 262.11 requires that, if a person generates a solid waste, he or she must determine if that waste is a hazardous waste. The person should first determine if the waste is excluded from regulation under 40 CFR 261.4. He or she must then determine if the waste is listed as a hazardous waste in subpart D of 40 CFR part 261. For purposes of compliance with 40 CFR part 268, or if the waste is not listed in subpart D of 40 CFR part 261, the generator must then determine whether the waste is identified in subpart C of 40 CFR part 261 by either testing the waste or applying knowledge of the hazard characteristics of the waste in light of the materials or the processes used.

(i) Data item:

- See “Recordkeeping and Reporting Requirements,” later in this section, for the data items associated with the waste determination requirements.

(ii) Respondent activities:

In making a hazardous waste determination, respondents must:

- Test their waste; or
- Use knowledge of the waste.

LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

Large quantity generator pre-transport requirements comprise seven distinct categories of informational requirements: labeling, personnel training, contingency planning and emergency procedures, tank systems, drip pads, containment buildings, and requests for extensions of the accumulation period.

(1) Labeling

40 CFR 262.34(a)(2) and (3) require that LQGs label each container or tank accumulating hazardous waste with the date upon which each period of accumulation begins and the words "Hazardous Waste." Section 262.34(c)(1) requires LQGs accumulating either hazardous waste or acutely hazardous waste at or near the point of generation to mark these containers in "satellite accumulation" with the words "Hazardous Waste" or other words that identify the contents of the containers. Section 262.34(c)(2) further requires that, if the LQG accumulates hazardous waste or acutely hazardous waste at satellite accumulation in excess of specified amounts, the LQG must, within three days, move that excess waste to a 90-day accumulation area. During that three-day period, the LQG must mark the container holding the excess accumulation with the date the excess amount began accumulating.

(i) Data items

- Labels with the words "Hazardous Waste" and the date that accumulation began.

(ii) Respondent activities

Respondents must perform the following requirements in complying with section 262.34(a)(2) and (3) and 262.34(c)(1) and (2):

- Label all containers and tanks with the words "Hazardous Waste" and the date that accumulation began.
- Label all containers with the words "Hazardous Waste" or other words, and label all containers with excess accumulation with the date that the excess accumulation began (satellite accumulation areas only).

(2) Personnel Training

In section 262.34(a)(4), LQGs must comply with requirements in section 265.16(d) and (e). Section 265.16(d) requires LQGs to maintain copies of personnel training documents and records at the facility. Section 265.16(e) requires that training records be held until closure of the facility, except as otherwise specified.

(i) Data items

- Personnel training records should include the following data items:

--Job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;

--Written job description for each position, which includes the necessary skill, education, or other qualifications and duties of employees assigned to each position;

--Written description of the type and amount of both introductory and continuing training that will be given to each person filling a position; and

--Records that document that the training or job experience required have been given to, and completed by, facility personnel.

(ii) Respondent activities

Respondents must perform the following activities under section 265.16(d) and (e):

- Collect the data items listed above; and
- Maintain (e.g., photocopying and filing) the information at the facility.

(3) Contingency Plan and Emergency Procedures

In section 262.34(a)(4), LQGs are required to comply with the preparedness and prevention and contingency plan and emergency procedure requirements in subparts C and D of part 265.

(a) Contingency Plan

Section 265.37(b) requires generators to note whether local authorities decline to enter into agreements to become more familiar with the generators' facility and wastes. Section 265.51 requires LQGs to have a contingency plan for their facilities. Section 265.53(a) requires the generators to maintain a copy of an updated contingency plan at the facility. Data elements required by this plan are outlined in section 265.52.

(i) Data items

- Contingency plan should include the following data items:
 - A description of the actions facility personnel will take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or, surface water at this facility;
 - A description of the arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services;
 - An updated list of names, addresses and phone numbers (office and home) of all persons qualified to act as emergency coordinators plus designated as primary emergency coordinators and alternates listed in order;
 - An updated list of all emergency equipment at the facility and the location, physical description, and capabilities of the emergency equipment. The contingency plan should also indicate where the emergency equipment will be required; and
 - An evacuation plan for the facility personnel where there is a possibility that evacuation may be necessary including a description of signals used to begin evacuation, evacuation routes, and alternate routes.
- Documentation of whether State or local authorities decline to enter into agreement to become more familiar with the LQG's facility and its waste.

(ii) Respondent activities

In order to comply with these requirements, generators are required to perform the following activities:

- Collect the data required in the contingency plan;
- Note, where appropriate, whether State or local authorities decline to enter into agreement to become familiar with the LQG's facility and its wastes;
- Write the contingency plan;
- Keep a copy of the contingency plan on site;
- Submit copies of plan to local police departments, hospitals, and state local emergency response teams; and
- Amend the contingency plan when appropriate.

(b) Emergency Procedures

Under sections 265.56(a) through (d), whenever there is an imminent or actual emergency situation, the emergency coordinator must immediately activate alarms and notify personnel and appropriate State or local emergency response agencies. Whenever there is a release, fire, or explosion, the emergency coordinator must immediately investigate and assess the release and hazard conditions. If the emergency coordinator determines that the facility has had a release, fire or explosion which could threaten human health or the environment outside the facility, he must report his findings to local authorities, as specified, and the government official designated as the on-scene coordinator for that geographical area or the National Response Center (NRC).

(i) Data items

- Notification to fire department of imminent or actual emergency situation.
- Emergency report to the on-scene coordinator or NRC, including:
 - Name and telephone number of reporter;
 - Name and address of facility;
 - Time and type of incident;
 - Name and quantity of material(s) involved;
 - The extent of injuries; and
 - Possible hazards to human health or the environment outside the facility.

(ii) Respondent activities

Emergency coordinators, or their designees, must conduct the following activities, as applicable:

- Notify State or local emergency response agencies of imminent or actual emergency situation;
- Whenever there is a release, fire, or explosion, immediately investigate and assess the release and hazard conditions; and
- If the facility has had a release, fire, or explosion which could threaten human health or the environment outside the facility boundary, notify local authorities if local evacuation is advisable and notify OSC for that geographical area or the NRC.

(c) Notification of Compliance

Section 265.56(i) states that LQGs should note in the operating record the time, date, and details of any incident that requires implementing the contingency plan and submit a report on the incident to the Regional Administrator within 15 days that includes such information as the name, address and telephone number of the owner or operator, the date, time, and type of incident, extent of injuries, etc.

(i) Data items

- The report must include the following data items:
 - Name, address, and telephone number of the generator;
 - Name, address, and telephone number of the facility;
 - Date, time, and type of incident;
 - Name and quantity of material(s) involved;
 - The extent of injuries;
 - An assessment of actual or potential hazards to human health or the environment; and
 - Estimated quantity and disposition of recovered material that resulted from the incident.

(ii) Respondent activities

As required by section 265.56(i), LQGs must:

- Compile information that demonstrates that all affected areas are in compliance;
- Prepare a letter notifying the Regional Administrator of this compliance; and
- Submit the report.

(4) Tank Systems

In section 262.34(a)(1), LQGs that use tanks to accumulate hazardous waste for 90 days or less are required to comply with the requirements in 40 CFR part 265 subpart J.

(a) No Free Liquids Demonstration

Section 265.190(a) exempts LQGs from the requirements of section 265.193 (containment and detection of releases) provided that the tanks are located in buildings with impermeable floors and are used to accumulate wastes that contain no free liquids.

(i) Data item

- Demonstration of absence of free liquids, including the results of the Paint Filter Liquids Test, performed as specified in SW-846. Generators must retain the test results on site, in accordance with section 262.40(c).

(ii) Respondent activities

Respondents must perform the following activities in performing this demonstration:

- Perform the test; and
- Place copy of results in record.

(b) Assessments of Existing Tank Systems' Integrity

Section 265.191 requires LQGs with tank systems that 1) accumulate waste that became hazardous after July 14, 1986 and 2) do not meet the secondary containment requirements of section 265.193 to determine if their tank systems are sufficient for accumulating hazardous waste.

(i) Data items

- For each existing tank system, a written assessment that has been reviewed and certified by an independent, qualified registered professional engineer in accordance with section 270.11(d). At a minimum, the assessment must consider the following:
 - The design standards to which the tank and ancillary equipment were constructed;
 - Hazardous characteristics of the waste(s) that has been and will be handled;
 - Existing corrosion protection measures;
 - The tank's documented or estimated age; and
 - Results of a leak test performed as specified in section 265.191(b)(5)(i) and (ii).

(ii) Respondent activities

Respondents must perform the following activities in assessing their tank systems:

- Perform the leak test as specified in section 265.191(b)(5)(i) and (ii);
- Obtain the written assessment certified by an independent, qualified and registered professional engineer that attests to the tank system's integrity; and
- File the assessment at the facility.

(c) **Design and Installation of New Tank Systems or Components**

Section 265.192 requires LQGs that install new tank systems or components to obtain written assessments attesting that their tank systems are acceptable for storing hazardous wastes. In addition, LQGs must obtain and keep on file at the facility statements written by those who designed the tank systems and supervised their construction. These statements will verify that the systems were designed and constructed properly.

(i) Data items

- For each new tank system, a written assessment that has been reviewed and certified by an independent, qualified, registered professional engineer in accordance with section 270.11(d). At a minimum, the assessment must report on the following:
 - The design standards to which the tank and ancillary equipment were constructed;
 - Hazardous characteristics of the waste(s) to be handled;
 - For new systems or components in which any external metal component of the tank system will be in contact with soil or water, a determination by a corrosion expert of the factors affecting the potential for and protection from corrosion as specified in section 265.192(a)(3)(i) and (ii);
 - For underground tank systems likely to be adversely affected by vehicular traffic, the design or operational measures that will protect the tank system from damage; and
 - Design considerations to ensure that: 1) tank foundations will maintain the load of a full tank, 2) the systems are anchored so that they will not float or dislodge when placed in a saturated or seismic fault zone, and 3) the systems will withstand the effects of frost heave.
- Records of statements written by those who certify the tank system's design and supervise its installation (§265.192(g)). These records must verify that the system was designed and installed according to the regulatory requirements, and that any needed repairs were

performed. They must also include the certification statement as required in section 270.11(d).

(ii) Respondent activities

Respondents must perform the following activities in complying with these requirements:

- Obtain the written assessment and have it reviewed and certified;
- Obtain written statements from those who certified the design of the tank system and supervised its installation; and
- File the written statements at the facility.

(d) Containment and Detection of Releases

Section 265.193 requires LQGs operating tank systems to have secondary containment that will prevent the release of hazardous constituents into the environment. New tank systems must have the containment installed prior to their being put into service. The dates by which containment must be installed on existing tank systems depend upon the waste types handled, the system's age, and other factors. The information collection requirements in this section include reports to the Regional Administrator that, upon approval, will exempt, when appropriate, tank system generators from specific secondary containment standards. In addition, section 265.193(g) allows LQGs to obtain variances from all secondary containment requirements if they can demonstrate to the Regional Administrator that alternative design and operating practices, together with location characteristics, will be as protective of the environment as secondary containment.

(d1) Equivalent Containment Devices

Section 265.193(d) requires all secondary containment for tank systems to include one or more of the following devices: a liner; a vault; a double-walled tank; or an equivalent device, as approved by the Regional Administrator. Though some respondents may choose to use a previously-approved containment device, this ICR assumes that generators will submit to the Regional Administrator written information regarding the design and type of device, as well as additional information that may be necessary to substantiate a claim that the device is equivalent to a liner, vault, or double-walled tank.

(i) Data items

- Written information regarding the design and type of containment device as well as additional information that may be necessary to substantiate a claim that the device is equivalent to a liner, vault, or double-walled tank.

(ii) Respondent activities

Respondents must perform the following activities in obtaining approval for their equivalent containment device:

- Gather information regarding the design and type of containment device as well as additional information necessary to substantiate a claim that the device is equivalent to a liner, vault, or double-walled tank; and
- Submit the information to the Regional Administrator.

(d2) Exemption from 24 hour Leak Detection Requirement

Section 265.193(e)(3)(iii) requires secondary containment systems to have a leak detection system that will detect a release within 24 hours. If LQGs can demonstrate to EPA that existing technologies or site conditions will not allow detection within 24 hours, they may use a leak detection system that will detect failure or contamination "at the earliest practicable time."

(i) Data items

- Demonstration regarding existing technologies or site conditions sufficient to show that the leak detection system cannot detect failure or contamination within 24 hours.

(ii) Respondent activities

Respondents must perform the following activities in obtaining an exemption from the 24-hour detection requirement:

- Compile evidence showing that the leak detection system cannot detect failure or contamination within 24 hours; and
- Submit the evidence to the Regional Administrator.

(d3) Variance from Secondary Containment Requirement

Section 265.193(g) allows LQGs to obtain a variance from all secondary containment requirements if they can demonstrate to the Regional Administrator that alternative design and operating practices, together with location characteristics, will prevent the migration of hazardous constituents into the ground water or surface water as effectively as secondary containment. In the event of a release that does migrate to ground or surface water, facilities must demonstrate the release will pose no substantial hazard.

(i) Data items

- Written notification to the Regional Administrator indicating intent to conduct and submit a demonstration for a variance from secondary containment. This notification must contain:
 - Description of the steps necessary to conduct the demonstration (which must address each factor listed in §265.193(g)(1) and (2)); and
 - Timetable for completing each step.

(ii) Respondent activities

Respondents must perform the following activities in obtaining a variance from secondary containment:

- Prepare the notification of intent to conduct a demonstration;
- Submit the notification to the Regional Administrator (for existing tank systems, notification must be submitted 24 months prior to the date at which secondary containment must be provided; for new systems, notification must be submitted at least 30 days before entering into a contract to install the system);
- Complete the demonstration in accordance with section 265.193(g)(1) and (2); and
- Submit the completed demonstration to the Regional Administrator within 180 days of submitting the notification.

(d4) Annual Leak Test and Inspections

Section 265.193(i) requires LQGs, until they meet the secondary containment requirements, to conduct annual leak tests and/or inspections of their tanks and ancillary equipment. Records of these assessments must be kept on file at the facility.

(i) Data items

- Record of the results of the leak tests and/or inspections (§265.193(i)).

(ii) Respondent activities

Respondents must perform the following activities in filing a record of the assessment results:

- For non-enterable underground tanks, conduct a leak test that meets the requirements of section 265.191(b)(5);
- For all other tanks and for ancillary equipment, conduct an annual leak test that meets the requirements in section 265.191(b)(5) or have the tanks and equipment inspected as described in section 265.193(I)(1);
- Record the inspection and/or test results; and
- Maintain on file at the facility a record of the results.

(e) Responses to Leaks or Spills; Disposition of Leaking or Unfit-for-Use Tank Systems

Section 265.196 requires LQGs with a tank system or secondary containment system from which there has been a spill to remove it from service immediately. Section 265.196(b) requires LQGs, within 24 hours, to remove enough waste from the system to prevent further release and allow for inspection and repair of the tank. If the LQG can demonstrate that it is not possible to do so within 24 hours, the waste may be removed at the earliest practicable time.

(e1) Exemptions from 24 hour waste removal requirement

(i) Data items

- Demonstration sufficient to show that, within 24 hours, the generator cannot remove enough waste from the system to prevent further release and allow for system inspection and repair.

(ii) Respondent activities

Respondents must perform the following activities in making this demonstration:

- Compile evidence showing that, within 24 hours, enough waste cannot be removed from the system to prevent further release and allow for system inspection and repair.
- Submit the evidence to the Regional Administrator.

(e2) Release Notifications and Reports

Section 265.196(d) requires LQGs to comply with certain reporting requirements in the case of a leak or spill. LQGs must notify the Regional Administrator of any release to the environment (except as defined in §265.196(d)(2)) within 24 hours of detection (if the release has been reported pursuant to 40 CFR part 302 (CERCLA §103), that report will satisfy this requirement), and submit a detailed report within 30 days. In addition, if the generator has made major repairs to the system, section 265.196(f) requires that generators submit to the Regional Administrator a certification of major repairs. This certification, obtained by an independent qualified registered professional engineer in accordance with section 270.1(d), documents that the system has been repaired and is capable of handling hazardous waste without release, and must be submitted to the Regional Administrator within seven days of returning the system to use.

(i) Data items

- A notification to the Regional Administrator that there has been a release;
- A report to the Regional Administrator containing the following information:
 - The release's likely migration route;
 - The surrounding soil characteristics;
 - The results of any monitoring or sampling conducted in connection with the release (if not available within 30 days, results must be submitted as soon as practicable);
 - The release's proximity to downgradient drinking water, surface water, and population areas; and
 - A description of the response actions taken or planned.
- A certification by an independent, qualified, registered professional engineer in accordance with section 270.11(d) that the repaired system is capable of handling hazardous wastes without release for the intended life of the system.

(ii) Respondent activities

Respondents must perform the following activities in preparing and submitting release notifications and reports:

- Within 24 hours of detection, notify the Regional Administrator that there has been a release;
- Within 30 days of detection, the LQG must:
 - Determine the release's likely migration route;
 - Provide information on the surrounding soil characteristics;
 - Conduct appropriate monitoring or sampling;
 - Determine the release's proximity to downgradient drinking water, surface water, and population areas;
 - Describe the response actions taken or planned; and
 - Compile the report.
- Submit the report.

(e3) Major Repair Certifications

(i) Data item

- Certification

(ii) Respondent Activities

Respondents must perform the following activities in preparing and submitting a certification of major repairs:

- Obtain a certification from an independent, qualified, registered professional engineer, in accordance with section 270.11(d); and
- Within seven days of returning the system to use, submit the certification to the Regional Administrator.

(5) Drip Pads

Under section 262.34(a)(1)(iii), EPA requires LQGs that accumulate hazardous waste on drip pads to comply with contingency plan, assessment, upgrading, repair, and release-related information collection requirements, as well as to document the proper use of drip pads and compliance with 90 day waste removal requirements.

(a) Contingency Plan

Section 265.440(c)(1) provides that facilities with infrequent and incidental drippage in storage yards may be exempt from drip pad requirements if they prepare a contingency plan that responds to such drippage.

(i) Data items

- Maintenance of contingency plan that addresses clean-up of incidental drippage; and
- Records of clean-up.

(ii) Respondent activities

Respondents must perform the following activities:

- Prepare contingency plan;
- Document clean-up of incidental drippage; and
- Retain documentation for 3 years.

(b) Adequacy of Existing Drip Pads

Sections 265.441(a), (b) and (c) require generators using drip pads to maintain on file an assessment of pad integrity, prepare and submit a plan for upgrading the pad (as necessary to meet applicable regulation) to the Regional Administrator, and submit drawings and a certification of the pad to Regional Administration.

(i) Data items

- An assessment of pad integrity;
- A plan for upgrading the pad to meet the applicable regulatory standards; and
- Drawings of the pad and a certification by an independent, qualified, registered professional engineer that upon completion of repairs and modifications the pad conforms to the drawings.

(ii) Respondent activities

Respondents must perform the following activities:

- Prepare and maintain an assessment of pad integrity;
- Prepare a plan for upgrading the pad to meet the applicable regulatory standards; and
- Prepare drawings of the pad and obtain the certification of an independent, qualified, registered professional engineer that the pad conforms to the drawings.

(c) Design and Operating Requirements

Section 265.443 requires that generators using drip pads must maintain an assessment of the drip pad and records of any release of hazardous waste. These generators must also notify the Regional Administrator and provide written notice of any release of hazardous waste as well as of the completion

of modifications or repairs. Certification of such modifications or repairs is also required. Finally, generators using drip pads must document operating and waste handling practices in their operating log.

(i) Data items

- An assessment of the drip pad reviewed and certified by an independent, qualified, registered professional engineer;
- A record of any condition contributing to or actual release of hazardous waste from the drip pad;
- Notice to the Regional Administrator of any release of hazardous waste;
- Notice to the Regional Administrator of completion of any repairs required to meet applicable standards;
- Certification of an independent, qualified, registered professional engineer that the repairs satisfy applicable standards; and
- Documentation of operating and waste handling practices.

(ii) Respondent activities

Respondents must perform the following activities:

- Prepare an assessment of the drip pad and have the assessment certified by an independent, qualified, registered professional engineer;
- Place a record of any condition contributing to or actual releases of hazardous waste from the drip pad in the operating log;
- Notify the Regional Administrator of releases of hazardous waste and provide written notice of same;
- Provide notice to the Regional Administrator of the completion of any repairs required to meet applicable standards;
- Provide a copy of the certification of an independent, qualified, registered professional engineer that the repairs satisfy applicable standards to the Regional Administrator; and
- Prepare documentation of operating and waste handling practices.

(d) Certification of Liner

Section 265.444(a) requires generators using drip pads to place a certification of the adequacy of the liner in their operating log.

(i) Data items

- Certification by an independent, qualified, registered professional engineer that following construction or installation the liner meets the specified regulatory standard.

(ii) Respondent activities

Respondents must perform the following activities:

- Obtain the certification of an independent, qualified, registered professional engineer that following construction or installation the liner meets the specified regulatory standard; and
- Place the certification in the operating log.

(e) Documentation of Waste Removal

Section 262.34(a)(1)(iii) requires generators using drip pads to maintain a description of their 90-day waste removal practices and to document each waste removal.

(i) Data items

- A description of 90-day waste removal practices; and
- Documentation of each waste removal.

(ii) Respondent activities

Respondents must perform the following activities:

- Prepare a description of 90-day waste removal practices; and
- Document each waste removal.

(6) Containment Buildings

Under section 262.34(a)(1)(iv), EPA requires LQGs that accumulate hazardous waste in containment buildings to comply with certification, release notification, repair, and design-related requirements as well as to document storage procedures, waste generation and management practices, compliance with procedures, and that the unit is emptied at least every 90 days.

(a) Design and Performance Documentation

Section 265.1101(c) and (d) require that generators using containment buildings must place a certification of compliance with applicable standards in the record, record releases of hazardous waste, and notify the Regional Administrator of dangerous conditions or releases of waste within 7 days and provide written notice within 14 days. These generators must notify Regional Administrator upon completion of repairs. They must also record and place in the operating plan every 7 days information about operating procedures used to verify the integrity of areas lacking secondary containment (only in buildings that contain areas both with and without secondary containment).

(i) Data items

- A certification of an independent, qualified, registered professional engineer that the design of the containment building meets applicable regulatory standards;
- Records of any release of hazardous waste from a containment building;
- Notification of the Regional Administrator of any release of hazardous waste within 7 days followed by written notice within 14 days;
- Notification of the Regional Administrator of the completion of required repairs or clean-up; and
- Monitoring data and leak detection data.

(ii) Respondent activities

Respondents must perform the following activities:

- Obtain the certification of an independent, qualified, registered professional engineer that the design of the containment building meets applicable regulatory standards;
- Place the certification in the operating record;
- Maintain records of any release of hazardous waste from a containment building;
- Notify the Regional Administrator of any condition contributing to or actual releases of hazardous waste within 7 days, and provide follow-up written notice within 14 days of a release;
- Notify the Regional Administrator of the completion of required repairs or clean-up; and
- Record monitoring data and leak detection data and place that data in the operating record at least every 7 days.

(b) Documentation of Areas Lacking Secondary Containment

Section 265.1101(d) requires generators using containment buildings to place a description of the facility's procedures to maintain the integrity of areas lacking secondary containment in their operating log. This requirement only applies to containment buildings that contain areas both with and without secondary containment.

(i) Data item

- Description of procedures to maintain integrity of areas lacking secondary containment.

(ii) Respondent activities

Respondents must perform the following activity:

- Place description of the facility's procedures to maintain the integrity of areas lacking secondary containment in the operating log.

(c) Documentation of Procedures and Compliance

Section 262.34(a)(1)(iv) provides that generators using containment buildings must develop written procedures to ensure that waste stored for 90 days or less. These generators must also describe their waste generation and management practices and document that procedures ensuring limited storage are satisfied. Finally, these generators must document that their containment building is emptied at least once every 90 days.

(i) Data items

- A written description of the procedures to ensure that waste is stored no more than 90 days;
- A written description of the waste generation and management practices showing they are consistent with such 90 day storage;
- Documentation that procedures restricting the time of storage are satisfied; and
- Documentation that the unit is emptied at least once every 90 days.

(ii) Respondent activities

Respondents must perform the following activities:

- Prepare a written description of the procedures to ensure that waste is stored no more than 90 days;
- Prepare a written description of the waste generation and management practices showing they are consistent with such 90 day storage;
- Prepare documentation that 90-day storage procedures are satisfied; and
- Prepare documentation that the unit is emptied at least once every 90 days.

(7) Requests for Extensions of the Accumulation Period

In the case of an unforeseen, temporary, or an uncontrollable circumstance, section 262. 34(b) allows large quantity generators to apply for up to a 30-day extension of the 90-day accumulation period limit. At the discretion of the Regional Administrator, these extensions will be granted on a case-by-case basis.

(i) Data items

The data items required in making this request are:

- The unforeseen, temporary, or uncontrollable circumstances causing the need for an extension, and
- The length of desired extension (up to a limit of 30 days).

(ii) Respondent activities

In order to submit this request, the respondent must undertake the following tasks:

- Prepare and submit the request to the Regional Administrator.

LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS

Large quantity generator air emission standards comprise two new categories of informational requirements: air emission standards for process vents and air emission standards for equipment leaks.

(1) Air Emissions from Process Vents

(a) Control Device Operation Documentation

40 CFR 265.1033(i) requires owner/operators to prepare documentation describing the operation of control devices different from those specified in section 265.1033(f), (g), and (h) and identifying process parameters that indicate proper operation and maintenance of those control devices.

(i) Data items

- Description of the control device operation; and
- Information on the process parameter or parameters that will be used to indicate proper operation and maintenance of the control device.

(ii) Respondent activities

To comply with section 265.1033(i), respondents must perform the following activities:

- Gather information on control device operation and process parameters;
- Document control device operation and process parameter information;
- Maintain documentation at the unit (required under §265.1035(e));
- Reassess control device documentation; and
- Modify control device documentation, if necessary.

(b) Waste Determination

40 CFR 265.1034(d)(2) requires owner/operators to document waste determinations that are based on knowledge of the waste rather than testing.

(i) Data item

Data items required for documenting waste determinations are not specified, but may include the following:

- Production process information documenting that no organic compounds are used;
- Waste generation information documenting that the waste is generated by a process identical to a process at the same or another unit that has previously been demonstrated by direct measurement to generate a waste stream having a total organic content less than 10 ppmw; and
- Prior specification analysis results on the same waste stream where it can be documented that no process changes have occurred since the specification analysis was conducted that could affect the waste total organic concentration.

(ii) Respondent activities

To comply with section 265.1034(d)(2), respondents must perform the following activities:

- Gather information on production processes, waste generation, and specification analysis
- Document information on production processes, waste generation, and specification analysis; and
- Maintain documentation at the unit.

(c) Unit Operating Record

(c1) Implementation Schedule

(i) Data item

Under 40 CFR 265.1035(b) owner/operators are required to record the following information in the unit operating record:

- For facilities that comply with the provisions of section 265.1033(a)(2), an implementation schedule that includes dates by which the closed-vent system and control device will be installed and in operation. The schedule must also include a rationale of why the installation cannot be completed at an earlier date.

(ii) Respondent Activities

- Prepare the data item;
- Reassess;
- File and Maintain; and

- Modify.

(c2) Up-to-date Documentation of Compliance

(i) Data item

- Up-to-date documentation of compliance with the process vent standards in section 265.1032, including:
 - Information and data identifying all affected process vents, annual throughput and operating hours of each affected unit, estimated emission rates for each affected vent and for the overall unit, and the approximate location within the unit of each affected unit.
 - Information and data supporting determinations of vent emissions and emission reductions achieved by add-on control devices based on engineering calculations or source tests.

(ii) Respondent Activities

- Prepare the data item;
- Reassess;
- File and Maintain; and
- Modify.

(c3) Performance Test Plan

(i) Data item

- Where an owner or operator chooses to use test data to determine the organic removal efficiency or total organic compound concentration achieved by the control device, a performance test plan that includes the following information:
 - A description of how it is determined that the planned test is going to be conducted when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur. This shall include the estimated or design flow rate and organic content of each vent stream and define the acceptable operating ranges of key process and control device parameters during the test program.
 - A detailed engineering description of the closed-vent system and control device, including:
 - Manufacturer's name and model number of control device;
 - Type of control device;
 - Dimensions of the control device;

- Capacity;
- Construction materials.

-- A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis.

(ii) Respondent Activities

- Prepare the data item;
- Reassess;
- File and maintain; and
- Modify.

(c4) Documentation of Compliance

(i) Data item

- Documentation of compliance with section 265.1033 including the following information:
 - A list of all information references and sources used in preparing the documentation;
 - If engineering calculations are used, a design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" or other engineering texts acceptable to the Regional Administrator that present basic control device design information. Documentation provided by the control device manufacturer or vendor that describes the control device design in accordance with paragraphs (b)(4)(iii)(A) through (b)(4)(iii)(G) of this section may be used;
 - A statement signed and dated by the owner/operator certifying that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is or would be operating at the highest load or capacity level reasonably expected to occur; and
 - A statement signed and dated by the owner/operator certifying that the control device is designed to operate at an efficiency of 95 percent or greater unless the total organic concentration limit of section 265.1032(a) is achieved at an efficiency less than 95 percent or the total organic emission limits of section 265.1032(a) for affected process vents at the unit can be attained by a control device involving vapor recovery at an efficiency less than 95 weight percent. A statement provided by the control device manufacturer or vendor certifying that

the control equipment meets the design specifications may be used to comply with this requirement.

(ii) Respondent Activities

- Prepare the data item;
- Reassess;
- File and Maintain; and
- Modify.

(c5) Design, Monitoring and Inspections Information

(i) Data item

- Design documentation and monitoring, operating, and inspection information for each closed-vent system and control device required to comply with the provisions including:
 - Description and date of each modification that is made to the closed-vent system or control device design;
 - Identification of operating parameter, description of monitoring device, and diagram of monitoring sensor location or locations used to comply with sections 265.1033(f)(1) and (f)(2);
 - Monitoring, operating and inspection information required by paragraphs (f) through (k) of section 265.1033;
 - Date, time, and duration of each period that occurs while the control device is operating when any monitored parameter exceeds the value established in the control device design analysis;
 - Explanation for each period recorded under paragraph (4) of the cause for control device operating parameter exceeding the design value and the measures implemented to correct the control device operation;
 - For a carbon adsorption system operated subject to requirements specified in sections 265.1033(g) or 265.1033(h)(2), date when existing carbon in the control device is replaced with fresh carbon;
 - For a carbon adsorption system operated subject to requirements specified in section 265.1033(h)(1), a log recording the following information:
 - Date and time when control device is monitored for carbon breakthrough and the monitoring device reading;
 - Date existing carbon in control device is replaced with fresh carbon; and

- Date of each control device start-up and shutdown.

(ii) Respondent Activities

- Prepare the data item;
- Reassess;
- File and Maintain; and
- Modify.

(c6) Determination of Applicability to Subpart AA

(i) Data item

- Up-to-date information and data used to determine whether or not a process vent is subject to the requirements in section 265.1032 including supporting documentation as required by section 265.1034(d)(2) when application of the knowledge of the nature of the hazardous waste stream or the process by which it was produces is used.

(ii) Respondent Activities

- Prepare the data item;
- Reassess;
- File and Maintain; and
- Modify.

(2) Air Emissions from Equipment Leaks

(a) Notification to implement the alternate valve standard specified in section 265.1061(a)

(i) Data items

- 40 CFR 265.1061(b)(1) requires owners or operators that have decided to implement the alternative standard for valves specified in section 265.1061(a) to notify the Regional Administrator. No specific data items are to be included in this notification.

(ii) Respondent activities

To comply with section 265.1061(b)(1), respondents must perform the following activities:

- Prepare notification; and

- Submit notification to the Regional Administrator.
- (b) Notification to discontinue implementing the alternative valve standard specified in section 265.1061(a)**

(i) Data items

- 40 CFR 265.1061(d) requires owners or operators that no longer wish to implement the alternative standard for valves specified in section 265.1061(a) to notify the Regional Administrator. No specific data items are to be included in this notification.

(ii) Respondent activities

To comply with section 265.1061(d), respondents must perform the following activities:

- Prepare notification; and
- Submit notification to the Regional Administrator.

(c) Notification to implement the alternative valve standard specified in sections 265.1062(b)(2) or 265.1062(b)(3).

(i) Data items

- 40 CFR 265.1062(a)(2) requires owners or operators that have decided to implement the alternative standard for valves specified in sections 265.1062(b)(2), or 265.1062(b)(3) to notify the Regional Administrator. No specific data items are to be included in this notification.

(ii) Respondent activities

To comply with section 265.1062(a)(2), respondents must perform the following activities:

- Prepare notification; and
- Submit notification to the Regional Administrator.

(d) Non-Hazardous waste documentation

(i) Data items

40 CFR 265.1063(d)(3), requires owners or operators that determining that each piece of equipment does or does not contain hazardous waste with organic concentration that equals or exceeds 10 percent waste to document the determination if it was based on knowledge rather than testing. Data items required for documenting waste determinations are not specified, but may include the following:

- Production process information documenting that no organic compounds are used;

- Waste generation information documenting that the waste is generated by a process identical to a process at the same or another unit that has previously been demonstrated by direct measurement to generate a waste stream having a total organic content less than 10 ppmw; and
- Prior specification analysis results on the same waste stream where it can be documented that no process changes have occurred since the specification analysis was conducted that could affect the waste total organic concentration.

(ii) Respondent activities

To comply with section 265.1063(d)(3), respondents must perform the following activities:

- Gather information on production processes, waste generation, and specification analysis;
- Document information on production processes, waste generation, and specification analysis;
- Maintain documentation at the unit.

(e) Unit operating record

(e1) Equipment Record

(i) Data item

Under 40 CFR 265.1064(b) owner/operators are required to record the following information in the unit operating record:

- For each piece of equipment to which subpart BB applies:
 - Equipment identification number and hazardous waste management unit identification;
 - Approximate locations within the unit;
 - Type of equipment;
 - Percent-by-weight total organics in the hazardous waste stream at the equipment;
 - Hazardous waste state at the equipment; and
 - Method of compliance with the standard.

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;

- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.
-

(e2) Implementation Schedule

(i) Data item

- For facilities that comply with the provisions of section 265.1033(a)(2), an implementation schedule that includes dates by which the closed-vent system and control device will be installed and in operation. The schedule must also include a rationale of why the installation cannot be completed at an earlier date.

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e3) Performance Test Plan

(i) Data item

- Where an owner/operator chooses to use test data to demonstrate the organic removal efficiency or total organic compound concentration achieved by the control device, a performance test plan as specified in section 265.1035(b)(3);

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e4) Documentation of Compliance

(i) Data item

- Documentation of compliance with section 265.1060, including detailed design documentation or performance test results specified in section 265.1035(b)(4);

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e5) Leak Inspection Log

(i) Data item

- When each leak is detected as specified in sections 265.1052, 265.1053, 265.1057, and 265.1058, an inspection log that includes the following information:
 - Instrument and operator identification numbers and the equipment identification number;
 - The date evidence of a potential leak was found in accordance with §265.1058(a);
 - The date the leak was detected and the dates of each attempt to repair the leak;
 - Repair methods applied in each attempt to repair the leak;
 - "Above 10,000" if the maximum instrument reading measured by the methods specified in section 265.1063(b) after each repair attempt is equal to or greater than 10,000 ppm;
 - "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak;
 - Documentation supporting the delay of repair of a valve in compliance with section 265.1059(c);
 - The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a hazardous waste management unit shutdown;
 - The expected date of successful repair of the leak if a leak is not repaired within 15 calendar days; and
 - The date of successful repair of the leak.

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e6) Design, Monitoring, Operation, and Inspection Information

(i) Data item

- Design documentation and monitoring, operating, and inspection information for each closed-vent system and control device required to comply with section 265.1060 including:
 - Description and date of each modification that is made to the closed-vent system or control device design;
 - Identification of operating parameter, description of monitoring device, and diagram of monitoring sensor location or locations used to comply with section 265.1033(f)(1) and (f)(2);
 - Monitoring, operating and inspection information required by paragraphs (f) through (j) of section 265.1033;
 - Date, time, and duration of each period that occurs while the control device is operating when any monitored parameter exceeds the value established in the control device design analysis;
 - Explanation for each period recorded under paragraph (3) of the cause for control device operating parameter exceeding the design value and the measures implemented to correct the control device operation;
 - For a carbon adsorption system operated subject to requirements specified in sections 265.1033(g) or 265.1033(h)(2), date when existing carbon in the control device is replaced with fresh carbon;
 - For a carbon adsorption system operated subject to requirements specified in section 265.1033(h)(1), a log recording the following information:
 - Date and time when control device is monitored for carbon breakthrough and the monitoring device reading; and
 - Date when existing carbon in the control device is replaced with fresh carbon;
 - Date of each control device startup and shutdown;

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e7) Equipment Log

(i) Data item

- A log recording the following information for all equipment subject to sections 265.1052 through 265.1060:
 - A list of identification numbers (except welded fittings) for equipment subject to the standards of subpart BB;
 - A list of identification numbers for equipment that the owner or operator elects to designate for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, under sections 265.1052(e), 265.1053(i), and 265.1057(f);
 - Signed designation of this equipment as subject to the requirements of sections 265.1052(e), 265.1053(i), and 265.1057(f) by the owner or operator;
 - A list of equipment identification numbers for pressure relief devices required to comply with section 265.1054(a);
 - The dates of each compliance test required in sections 265.1052(e), 265.1053(i), 265.1054, and 265.1057(f);
 - The background level measured during each compliance test;
 - The maximum instrument reading measured at the equipment during each compliance test; and
 - A list of identification numbers for equipment in vacuum service.

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and

- Modify the data item, if necessary.

(e8) Valve log

(i) Data item

- A log for all valves subject to section 265.1057(g) and (h) that includes the following information:
 - A list of identification numbers for valves that are designated as unsafe to monitor, an explanation for each valve stating why the valve is unsafe to monitor, and the plan for monitoring each valve; and
 - A list of identification numbers for valves that are designated as difficult to monitor, an explanation for each valve stating why the valve is difficult to monitor, and the planned schedule for monitoring each valve.

(ii) Respondent activities

Respondents must:

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e9) In-compliance Valve Log

(i) Data item

- For valves complying with section 265.1062, a log containing the following information:
 - A schedule for monitoring; and
 - The percent of valves found leaking during each monitoring period;

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e10) Criteria Log

(i) Data item

- A criteria log containing the following information:
 - Criteria required in section 265.1052(d)(5)(ii) and section 265.1053(e)(2) and an explanation of the design criteria; and
 - Any changes to these criteria and the reasons for these changes.

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and
- Modify the data item, if necessary.

(e11) Exemption Log

(i) Data item

- An exemption log containing the following information:
 - An analysis determining the design capacity of the hazardous waste management unit;
 - A statement listing the hazardous waste influent to and effluent from each hazardous waste management unit subject to the requirements in sections 265.1052 through 265.1060 and an analysis determining whether these hazardous wastes are heavy liquids; and
 - An up-to-date analysis and the supporting information and data used to determine whether or not equipment is subject to the requirements in sections 265.1052 through 265.1060. The record shall include supporting documentation as required by section 265.1063(d)(3) when application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced is used.

(ii) Respondent activities

- Prepare the data item;
- Reassess the data item;
- File and maintain the data item in the unit operating record; and

- Modify the data item, if necessary.

SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

(1) Labeling

40 CFR 262.34(a)(2) and (3) require that SQGs label each container or tank accumulating hazardous waste with the date upon which each period of accumulation begins and the words "Hazardous Waste." Section 262.34(c)(1) requires SQGs accumulating either hazardous waste or acutely hazardous waste at or near the point of generation to mark these containers with the words "Hazardous Waste" or other words that identify the contents of the containers. Section 262.34(c)(2) further requires that, if the SQG accumulates hazardous waste or acutely hazardous waste at satellite accumulation in excess of specified amounts, the SQG must, within three days, move that excess waste to a 90-day accumulation area. During that three-day period, the SQG must mark the container holding the excess accumulation with the date the excess amount began accumulating.

(i) Data items:

- Labels with the words "Hazardous Waste" and the date that accumulation began.

(ii) Respondent Activities:

Respondents must perform the following requirements in complying with section 262.34(a)(2) and (3) and 262.34(c)(1) and (2):

- Label all containers and tanks with the words "Hazardous Waste" and the date that accumulation began.
- Label all containers with the words "Hazardous Waste" or other words, and label all containers with excess accumulation with the date that the excess accumulation began (satellite accumulation areas only)

(2) Emergency Procedures

Section 262.34(d)(5)(iv)(A) requires that, in the event of a fire, SQGs must call the fire department or attempt to extinguish it using a fire extinguisher. Section 262.34(d)(5)(iv)(C) requires SQGs to immediately notify the National Response Center in the event of a fire, explosion, or other release which could threaten human health outside the facility or when the generator has knowledge that a spill has reached surface water. Applicable provisions also require SQGs to document if State or local authorities decline to enter into arrangements to become familiar with the site (265.37(b)), and require SQGs to post emergency information near the phone (262.34(d)(5)(ii)).

(i) Data items

The data items required in making this report are:

- The name, address, and US EPA identification number of the generator;

- Date, time, and type of incident;
- Quantity and type of hazardous waste involved in the incident;
- Extent of injuries, if any; and
- Estimated quantity and disposition of recovered materials, if any.

Other data items include:

- Notification to fire department.
- Documentation that local officials decline to enter into arrangements for coordinating response.
- Emergency information by the phone.

(ii) Respondent activities

In order to submit data items, the respondent must undertake the following tasks:

- Observe the scene of hazardous waste discharge and gather information regarding the incident;
- Report by phone the requested data items to the fire department and/or National Response Center;
- Document that local officials decline to enter into arrangements for coordinating response; and
- Post emergency information by the phone.

(3) Requests for Extensions of the Accumulation Period

Section 262.34(f) allows SQGs to apply for up to a 30-day extension of the 180- or 270-day accumulation period limit. At the discretion of the Regional Administrator, these extensions will be granted in a case-by-case basis.

(i) Data items

The data items required in making this request are:

- The unforeseen, temporary, or uncontrollable circumstances causing the need for an extension, and
- The length of desired extension (up to a limit of 30 days).

(ii) Respondent activities

In order to submit this request, the respondent must undertake the following task:

- Prepare and submit the request to the Regional Administrator.

RECORDKEEPING AND REPORTING REQUIREMENTS

Sections 262.40 and 262.43 require all generators to keep records that may be reviewed by EPA during inspections, and to report additional information as required by the Administrator. Section 262.40 requires generators to keep a copy of items, such as the records of test results, for at least three years. Section 262.43 requires generators to furnish additional reports regarding the volume and nature of their hazardous wastes as deemed necessary.

(i) Data items

The Administrator may require additional data, as deemed necessary, such as copies of any records of test results, waste analyses, or other determinations regarding the quantity and disposition of hazardous wastes.

(ii) Respondent activities

In order to submit the recordkeeping and reporting data items, generators must undertake the following tasks:

- Maintain the test results, waste analyses, or other determinations;
- Gather and provide any additional information requested by the Administrator.

EXPORTS AND IMPORTS OF HAZARDOUS WASTES

Sections 262.53 - .57 are requirements for "primary exporters," or the persons shipping or arranging to ship hazardous waste to a TSDF outside the boundaries of the United States. All generators meeting the definition of "primary exporters" are required to notify EPA of their intention to export hazardous waste, re-notify the EPA if the conditions of the original notification are altered (including, under certain circumstances, if a shipment cannot be delivered to the designated or alternate consignee for any reason), file an Annual Report with the Administrator summarizing the types, quantities, frequencies, and ultimate destination of all hazardous wastes exported during the previous years, and keep copies of relevant documents for a period of three years. EPA may also request that primary exporters provide additional information, as requested by the receiving country.

Sections 262.83- .85 are requirements for primary exporters exporting to OECD countries, and are basically the same, except for a few additional information items, which are separately identified below.

(1) Notification of Intent to Export

Section 262.53(a) requires the primary exporters of hazardous wastes to submit a signed notification of intent to export.

(i) Data items

The data items required by this notification include:

- The name, mailing address, telephone number, and EPA ID number of the primary exporter; and
- For each consignee, the following information for hazardous waste type:
 - A description of the hazardous wastes and EPA waste number and DOT description;
 - An estimate of the frequency and time period of the shipment to the consignee;
 - Total quantity of hazardous wastes;
 - Points of entry of (or departure from) each foreign country;
 - A description of the means of transportation and the types of containers containing the hazardous wastes;
 - A description of the waste management techniques to be utilized in managing the wastes in the host countries;
 - The name and site address, of the consignee and any alternate consignee; and
 - The name of any countries through which the hazardous wastes will transit, as well as the period of time the wastes will remain in the transit countries and the nature of its handling while there;
 - After consent is granted, exporter will receive EPA acknowledgment of consent from EPA and must attach acknowledgment of consent to manifest.
- Additional data items only for exporters to OECD countries (262.83)
 - Fax number
 - Serial number/identifier of notification form
 - Intended carrier(s) and/or agents
 - Countries of export, import, and transit and relevant authorities
 - Certification of the existence of written contract, chain of custody, or equivalent arrangement with consignee, between exporter and importer
 - Certification that the information is complete and correct
 - Certification of financial guarantee if required by any concerned country (importing and transit).

(ii) Respondent activities

In order to comply with the notification of intent to export requirements, the primary exporter must undertake the following tasks:

- Collect information; and
- Prepare and submit a notification.

Additional tasks are required of exporters to OECD countries:

- Read the regulations codifying the OECD Decision and assess applicability

- Complete the additional information for the Notification of Intent to Export

(2) Re-notification of Intent to Export

Generators are also required to notify EPA should certain information on the notification be modified, such as an increase of the volume of hazardous wastes shipped, before the hazardous wastes are exported (§262.53(c)). Under section 262.54(g), if a shipment cannot be delivered to the designated or alternate consignee for any reason, the primary exporter must either re-notify EPA before the delivery of the shipment to a new consignee (in accordance with §262.53(c)), or instruct the transporter to return the waste to the exporter or a management facility in the United States.

(i) Data items

- Written description of any of the modified notification information. For certain categories of information (e.g., telephone numbers, ports of entry and exit, or decreases in quantity), EPA has waived this re-notification requirement. EPA will inform the recipient and transit countries of the changes and, upon their consent, forward to the primary exporter an EPA Acknowledgment of Consent.

(ii) Respondent activities

In order to comply with the re-notification of the intent to export requirements, the primary exporter must undertake the following tasks:

- Collect change to export information; and
- Prepare and submit a re-notification documenting changes.

(3) OECD Tracking Document

Under section 262.84, primary exporters of hazardous wastes to OECD countries must provide information on a tracking document, in addition to information provided for US manifest requirements (ICR Number 801).

(i) Data items

- Fax numbers of the export notifier, consignee, and carrier
- Technologies employed by the recovery facility
- Means and mode of transport, including types of packaging
- Countries of export, import, and transit and relevant competent authorities
- Frequency of shipment (single or general notification).

(ii) Respondent activities

In order to comply with the tracking requirements, the primary exporter or importer must undertake the following tasks:

- Read the regulations codifying the OECD Decision and assess applicability
- Complete the additional information for the tracking document.

(4) One time Import Notification

The following information, which is required by the OECD Decision, is in addition to the information required for non-OECD exports and imports, under 40 CFR part 262, subparts E and F, respectively:

The rule codifying the OECD Decision did not impose any significant new or additional information collection requirements on U.S. importers of hazardous waste destined for recovery. However, U.S. recovery facilities that import hazardous waste are required to sign additional copies of the tracking document and transmit them to the appropriate parties within three working days instead of the previously required 30 days [see §§264.71(d) and 265.71(d)].

(ii) Respondent Activities

- Read the regulations codifying the OECD Decision and assess applicability
- Sign and transmit the additional copies of the tracking document to EPA, competent authority of exporter country, and competent authority of transit country (if applicable)
- Comply with the expedited response time (three working days) to transmit copies of the signed tracking document to the foreign exporter, EPA, competent authority of exporter country, and competent authority of transit country (if applicable). Although the response time has been reduced, there is no additional labor effort or paperwork burden. Therefore, no burden estimates are calculated for this effort.

(5) Additional Reporting

Under sections 262.53(d) and 262.85(g), EPA may request that primary exporters submit additional information, as requested by the receiving country.

(i) Data items

- The data items required by this demonstration are specified by the receiving country.

(ii) Respondent activities

In order to submit these reporting data items, primary exporters must:

- Gather and provide any additional information requested by EPA on behalf of the receiving country.

(6) Annual Report Requirements

Section 262.56(a) requires exporters of hazardous wastes to file an Annual Report with the Administrator summarizing hazardous waste export activities.

(i) Data items

The following data items must be reported annually:

- The EPA identification number, name, and mailing address and site of the exporter;
- The calendar year covered by the report;
- The name and site address of each consignee;
- For each consignee, the following data:
 - A description of the hazardous waste,
 - The EPA hazardous waste number,
 - The DOT hazard class,
 - The name and US EPA ID number for each transporter used,
 - The total amount of waste shipped, and
 - The number of shipments pursuant to each notification;
- A description of efforts undertaken to reduce the volume and toxicity of wastes generated, as well as a description of any variation in the volume and toxicity of wastes relative to previous years (not applicable to SQGs, or to LQGs that submitted this information in a Biennial Report); and
- A signed certification.

(ii) Respondent activities

In order to comply with the Annual Report requirements, the primary exporter must undertake the following tasks:

- Research the information needed for SQGs and LQGs; and
- Prepare and submit a report.

(7) Recordkeeping Requirements

Section 262.57(a) requires all primary exporters to keep a copy of certain documents for a period of at least three years after the wastes were accepted by the initial transporter (or longer if requested by the Administrator or if related to an activity subject to an enforcement action):

(i) Data items

The following records must be kept:

- Notification of intent to export;

- EPA acknowledgment of consent;
- Confirmation of delivery from the consignee; and
- Annual report.

(ii) Respondent activities

In order to comply with the recordkeeping requirements, the generator must undertake the following task:

- File and maintain the notification of intent, acknowledgment of consent, confirmation of delivery, Annual Report, and Exception Reports for a period of at least three years.

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

The following subsections discuss how EPA will collect the information, what activities EPA will perform once the information has been received, and how EPA will manage the information it collects. The subsections also include a discussion of how the information collection requirements affect small entities.

5(a) AGENCY ACTIVITIES

HAZARDOUS WASTE DETERMINATION REQUIREMENTS

There are no Agency activities associated directly with generator waste determinations. EPA may review results of such determinations during site inspections.

LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

Although personnel training information is not formally submitted to EPA, EPA may review information collected from the requirements during facility inspections. Therefore, this analysis assumes that the Agency will spend a minimal amount of review time at certain facilities.

Agency activities associated with emergency reporting requirements include reviewing documents in the emergency coordinators' emergency reports.

Agency activities associated with the receipt of reports of releases are review of the information submitted, entry of this information into a database tracking all releases, and, if necessary, transmittal of the information to the respective emergency response authorities.

Agency activities associated with requirements for generators' tank systems include the following:

- Review and evaluate information on equivalent containment devices;
- Evaluate information submitted for exemption from the 24-hour leak detection requirement; and
- Evaluate information submitted for variances from secondary containment requirements, including no-free liquids demonstrations.

In addition, the Agency must perform the following activities for generators' tank systems:

- Evaluate information submitted for exemption from 24-hour waste removal requirement;
- Review existing tank integrity assessments;
- Review new tank design and installation assessments;
- Review release notification reports;

- Review major repair certifications; and
- Review requests for accumulation period extensions.

Agency activities associated with requirements for generators' drip pads include the following:

- Review plans for upgrading drip pads;
- Review and evaluate drawings and certifications of drip pads;
- Evaluate notices of releases from drip pads; and
- Review repairs conducted to drip pads.

Agency activities associated with requirements for generators' containment buildings include the following:

- Review and evaluate notifications of releases of hazardous waste; and
- Review notices of repairs to containment buildings.

Some of the records and certifications required under this section are not formally submitted to EPA, but must be kept on file at the facility and made available to EPA upon request. On others, the regulations are not explicit about whether a demonstration must be submitted to EPA; this ICR generally assumes that LQGs submit the demonstrations anyway.

LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS

(1) Air Emissions from Process Vents

There are no Agency activities associated with the requirements for generators with process vents. Although EPA will examine monitoring documentation, control device documentation, waste determination documentation, and information required in the operating record during periodic inspections, these activities are part of EPA's overall compliance and enforcement program. Therefore, the cost associated with these activities is not attributable to subpart AA.

(2) Air Emissions from Equipment Leaks

Agency activities associated with the requirements for generators with equipment subject to subpart BB include:

- Reviewing notifications to implement the alternate valve standard specified in section 265.1061(a);
- Reviewing notifications to discontinue implementing the alternate valve specified in section 265.1061(a); and
- Reviewing notifications to implement the alternate valve standard specified in sections 265.1062(b)(2) or (b)(3).

SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

The Agency activities associated with SQG pre-transport requirements include reviewing requests for extensions of the accumulation period under section 262.34(e). No other information is required to be submitted to EPA (SQG notification requirements include contacting the National Response Center, operated by the Coast Guard).

RECORDKEEPING AND REPORTING

Agency activities associated with the recordkeeping and reporting requirements include the on-site review of documents maintained at a facility, and the review of submitted information and the entry of this information into a database.

EXPORT AND IMPORT REQUIREMENTS

Agency activities associated with the receipt of notifications and re-notifications of intent to export hazardous waste involve the review of this information, and to submit, in conjunction with the Department of State, a notification to the receiving country and any transit countries. Upon the consent (or refusal) of the receiving countries to the receipt of the hazardous waste, the Agency will forward to the primary exporter an acknowledgment of consent (or a written notification of the objection). Other Agency activities associated with the export of hazardous waste are the receipt of Annual Reports. The Agency will review these documents and enter them into a database. During compliance inspections, the Agency will also review records kept on site.

The OECD Decision requires the Agency to perform the following additional information collection and management activities. These activities are in addition to the baseline (non-OECD) information collection and management requirements already imposed by RCRA for hazardous waste exports and imports.⁴

Exports from the U.S.:

- Receive and record the Acknowledgment of Receipt from the importing country
- Receive and record the Tracking Document received from the foreign recovery facility.

Imports to the U.S.:

- Transmit an Acknowledgment of Receipt to the foreign exporter, competent authority of the foreign exporting country, and competent authority of transit country(ies) if applicable
- Receive and record the Tracking Document received from the U.S. recovery facility.

⁴ ? The quantifiable benefit to EPA in implementing the OECD Decision is the reduced burden cost to EPA to implement the exporter procedures required under the OECD Decision. The Agency is relieved of having to forward the importing country's Acknowledgment of Consent or denial to the U.S. exporter.

5(b) COLLECTION METHODOLOGY AND MANAGEMENT

In collecting and analyzing the information required under the generator requirements, EPA uses personal computers and applicable database software, when appropriate.

5(c) SMALL ENTITY FLEXIBILITY

When promulgating the regulations covered under this ICR, EPA considered the effect of these regulations on small businesses. EPA found, however, that most small businesses do not generate hazardous waste and, therefore, are not significantly affected by the generator standards. EPA has been directed by Congress to promulgate standards to protect public health and the environment. In certain cases, such as the Annual Report requirements for primary exporters of hazardous waste, EPA has limited the informational requirements for small generators. These facilities do not have to include a description of efforts taken to reduce waste volume or toxicity, or descriptions of any variation in the volume and toxicity of wastes relative to previous years. Certain categories of small entities are exempt from the information collection requirements described herein. Others are subject to reduced requirements. The training requirements do not apply to small quantity generators. Nor are they subject to the contingency plan and emergency procedure requirements. Finally, such generators are subject to reduced tank standards under section 265.201.

5(d) COLLECTION SCHEDULE

HAZARDOUS WASTE DETERMINATION REQUIREMENTS

There is no collection schedule for generators' hazardous waste determinations.

PRE-TRANSPORT REQUIREMENTS (FOR BOTH LQGs AND SQGs)

The reporting requirements outlined in the regulations will vary according to individual facility circumstances. Because container labeling and keeping records of personnel training are conducted onsite, a discussion of a collection schedule is not relevant.

There is no collection schedule for generators reporting releases of hazardous waste into the environment, as facilities only report on these occasions. The emergency coordinator must immediately notify the appropriate authorities of an imminent or actual emergency situation. An LQG must submit a written report of any incident that requires the implementation of the contingency plan within 15 days of its occurrence. Since generators are not required to submit their contingency plans to EPA, discussion of a collection schedule for these facilities is not applicable.

Records of tank system assessments, statements on design and installation, and records of annual leak tests and inspections are kept by the LQGs. Therefore, a discussion of a collection schedule is not applicable. The time frame for submitting demonstrations provided under this section is dependent upon the desire of LQGs to submit such demonstrations. However, the regulations do specify time frames for submissions related to certain situations. LQGs must submit release notification reports within 30 days of detecting a release. In addition, the certification of major repairs (required under §265.196(f)) must be submitted within seven days of returning the repaired tank system to use. With regard to drip pads, plans

for upgrading drip pads must be prepared 2 years before completion of such repairs, pad assessments must be recertified annually, records of releases must be documented upon detection and notice provided to EPA within 24 hours (written notice in within 10 days), and notice of repairs provided upon completion of such repairs. As for containment buildings, certification that the building meets design requirements is required within 60 days of initiating operation, records of releases must be filed upon detection and notice to EPA provided within 7 days (written notice within 14 days). In addition, monitoring data must be placed in the record every 7 days.

There is no collection schedule for generators requesting extensions from the Regional Administrator of the accumulation period, as these requests presume unforeseen circumstances.

LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS

The regulations at 40 CFR part 265, subparts AA and BB for generators do not specify time frames for submittals, and a discussion of a schedule regarding these requirements is not applicable.

RECORDKEEPING AND REPORTING

As the recordkeeping regulations in section 262.40 do not require the transmittal of any information, a discussion of a schedule regarding this requirement is not applicable. Additionally, as section 262.43 allows the Administrator to require additional information of generators on an irregular basis, a discussion of a collection schedule is not applicable.

EXPORT REQUIREMENTS

Generators meeting the definition of primary exporters should notify the EPA 60 days before the initial shipment of waste is scheduled to leave the United States (§262.53). The notifications of intent to export are collected as necessitated by generator activities. EPA has limited the burden of collection by allowing one notification to cover activities extending over a twelve-month period, unless certain conditions are altered.

Under the rule codifying the OECD Decision, Notification of Intent to Export submissions and tracking documents are generated and sent to EPA on a random, occurrence-specific basis for which there is no formalized schedule. Once these events do occur, notifications must be sent to EPA within 45 days prior to initiating waste exports, and tracking documents must be sent to EPA by U.S. recovery facilities within three working days of receipt of imported wastes.

The collection schedule for export activity Annual Reports requires their submittal no later than March 1 of the following year (§262.56). The report must include information regarding the primary exporter, transporter, and consignee, as well as the volume and characteristics of the waste. The report must also include a description of any variation in the volume and toxicity of wastes relative to previous years (not applicable to generators of more than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month or to those already submitting information in the Biennial Report), and a signed certification. The recordkeeping regulations in section 262.57 do not require the transmittal of any information; a discussion of a schedule regarding this requirement is not applicable.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) ESTIMATING ANNUAL RESPONDENT BURDEN

This ICR is a comprehensive presentation of all of the information collection activities required for generator standards and covers Fiscal Years 2008-2010.

Exhibit 1 summarizes the universe of generators. EPA estimated respondent burden hours and costs associated with all of the requirements covered in this ICR in the following exhibits: Exhibit 2 addresses both LQG and SQG respondent burden for reading the regulations; Exhibit 3 addresses LQG pre-transport requirements; Exhibit 4 addresses LQG air emission standards; Exhibit 5 addresses SQG pre-transport requirements; Exhibit 6 and 7 address specific export and import requirements for all generators; and Exhibit 8 summarizes total annual aggregate respondent burden and costs for all activities.⁵

6(b) ESTIMATING ANNUAL RESPONDENT COSTS

Exhibits 2 through 7 estimate the costs to generators based on the cost of labor, operation and maintenance (O&M), and capital. For purposes of this analysis, EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$81.13 for legal staff, \$65.61 for managerial staff, \$36.34 for technical staff, and \$17.99 for clerical staff. These wage rates are based on actual Bureau of Labor Statistics (BLS) mean rates, plus overhead and fringe benefits. These rates are lower than those previously used. Previous estimates reflected updates with a straight inflation factor applied to previous respondent hourly estimates.

In the following paragraphs, EPA estimates capital costs associated with the information requirements covered by this ICR. Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. For this ICR, the only required capital is file cabinets for maintaining reports. As shown in Exhibit 8, EPA estimates the total average annual capital cost to all generators, collectively, to be approximately \$22,770. In ICR 0820.08, EPA took the following steps to derive these costs:

- Estimate the total annual volume of reports required to be retained by all generators. In total, EPA estimates that LQGs must maintain approximately 91 pages of reports annually, while SQGs maintain approximately 2 pages.
- Ascertain the number of standard-size file cabinets that would provide the needed capacity and estimate the aggregate purchasing price. Given that a standard-size, five-drawer, lateral file cabinet holds approximately 16,000 pages, EPA estimates that the hazardous waste industry would need to purchase approximately 103 file cabinets each year (i.e., 1,647,939/16,000). These 103 file cabinets represent the total capacity needed by the industry, collectively, to store all of its reports. Based on its consultations, EPA estimates that the purchasing price for one file cabinet is \$700, and for all 103 file cabinets, \$72,100.
- Annualize the aggregate purchasing price using a net present value formula. EPA used the following annualized net present value formula to calculate the annual cost to the hazardous waste industry to acquire these file cabinets:

⁵ Exhibits contain rounding error.

Annual Cost = \$62,700(A/P, k, t)

where A/P = capital recovery factor;
k = discount rate of 7 percent;
t = life of equipment (3 years).

Based on this formula, the total annualized cost of file cabinets was reported in ICR 0820.10 to be approximately \$23,892.

For this ICR, because the estimated cost of one file cabinet was confirmed to be the same as in previous years, the total costs were estimated by using a percentage of the previous total based on the decrease in the universe of respondents.

O&M costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the PRA as “the recurring dollar amount of cost associated with O&M or purchasing services.” For this ICR, O&M costs cover postage and an envelope for reports sent to other parties (\$1.48 postage, 4 cents per standard envelope) photocopying of reports submitted to the Agency (11 cents per page), for long-distance phone calls (\$5.00 per call). O&M costs are shown in Exhibits 2 through 8 for all applicable activities.

6(c) ESTIMATING ANNUAL AGENCY BURDEN AND COST

EPA estimates Agency burden hours and costs associated with all the requirements covered in this ICR in Exhibit 9. EPA estimates an average hourly Agency labor cost of \$55.65 for Regional legal staff, \$52.24 for Regional managerial staff, \$31.26 for Regional technical staff, and \$19.94 for Regional clerical staff. EPA used the 2007 Federal Pay Schedule salary figures to estimate annual compensation of Regional legal, managerial, technical, and clerical staff. For purposes of this ICR, EPA assigned Regional staff the following government service levels:

Legal staff	GS-15, Step 1
Managerial staff	GS-13, Step 1
Technical staff	GS-11, Step 1
Clerical staff	GS-06, Step 1

EPA divided annual compensation estimates by 2,080, the number of hours in a Federal work year, and multiplied the rates by the standard government overhead factor of 1.6 to derive hourly rates.

6(d) ESTIMATING THE RESPONDENT UNIVERSE

LARGE QUANTITY GENERATOR AND SMALL QUANTITY GENERATOR REQUIREMENTS (Exhibits 1 and 2)

(1) Reading the Regulations

Based on the 2005 Biennial Reporting System (BRS), which is the most current available, EPA estimates that there are approximately 14,984 LQGs. A number of these LQGs (322), however, are also hazardous waste treatment, storage, and disposal facilities (TSDFs). These facilities are covered by other ICRs and were deleted from facilities covered in this document, yielding an estimated 14,662 LQGs.

(Based on its analysis of the 2005 BRS and RCRA INFO Data System, EPA estimates that there are approximately 87,279 SQGs. EPA believes that a number of the LQGs (about 383) and SQGs (about 58) also are government-owned and government-operated facilities and, therefore, not addressed in this ICR. Subsequently, these government-owned and government-operated generators were deleted from the universe covered in this ICR, yielding an estimated 14,279 LQGs and 87,221 SQGs. As shown in Exhibit 1, approximately 101,500 generators comprise the respondent universe. As shown in Exhibit 2, EPA expects that each LQG will average one hour to read the generator standards once a year, while each SQG will average 42 minutes per year.

**EXHIBIT 1
UNIVERSE OF GENERATORS**

WASTE HANDLER TYPE	Total number	TSD	federal	NUMBER OF WASTE HANDLERS
Large Quantity Generator	14,984	322	383	14,279
Small Quantity Generator	87,279		58	87,221
Total				101,500

HAZARDOUS WASTE DETERMINATION REQUIREMENTS (Exhibit 3)

Under 40 CFR 262.11, all generators must determine whether their solid waste qualifies as hazardous under RCRA. Generators may test the waste or use knowledge of the waste to make this determination.

EPA notes that generators must also determine, under the Land Disposal Restrictions (LDR) Program, whether their hazardous waste is restricted from land disposal, as required by 40 CFR 268.7(a) (1) and 268.9(a). EPA has burdened generators for their LDR determinations in the Land Disposal Restrictions ICR, Number 1442.

EPA has confirmed through consultations that generators normally make their hazardous waste and LDR determinations simultaneously and therefore do not incur a separate burden for each determination. For example, a generator would normally make a single request to a laboratory to determine if its waste is both hazardous *and* restricted from land disposal. Given this reasoning, EPA does not burden generators in this ICR for making hazardous waste determinations, since this burden is already reflected in ICR 1442.17.

LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS (Exhibit 3)

(1) Labeling

In section 262.34(a)(2) and (3), EPA requires all LQGs to label containers with the words “Hazardous Waste” and the date of accumulation. EPA expects that all LQGs to comply with this requirement. In section 262.34 (c)(1) and (2), EPA requires LQGs accumulating hazardous waste at

satellite accumulation areas to label containers as specified. EPA expects that all LQGs will comply with these requirements each year.

(2) Personnel Training

In section 262.34(a)(4), EPA requires all LQGs to comply with the personnel training requirements in section 265.16(d). Section 265.16(d) and (e) require that LQGs maintain copies of personnel training documents and records at their facilities. Based on an examination of historical BRS data and trends, EPA estimates that about 3,141 LQGs each year are new entrants into the hazardous waste universe and will be required to collect information regarding their employees' training experiences.

(3) Contingency Planning and Emergency Procedures

This ICR assumes that existing LQGs have already prepared contingency plans. Therefore, only new LQGs will be required to document whether State or local authorities decline to enter into an agreement to become familiar with the LQG's facility and its wastes, and to prepare and maintain a contingency plan. EPA estimates LQGs will need to make copies of and send the plans to three local authorities, on average. Amendments to contingency plans of LQGs must also be made when appropriate. EPA estimates that 214 new LQGs will prepare original contingency plans annually, and that 1,428 LQGs will amend their contingency plan annually, during the period covered by this ICR.

Based on Emergency Response and Notification System (ERNS) data, the Agency estimates that about 1.7 percent of all LQGs will have emergency incidents requiring implementation of the contingency plan.⁷ Therefore, approximately 243 LQGs will be required to prepare emergency reports each year.

(4) Tank Systems

In section 262.34(a)(1), EPA requires all LQGs that accumulate hazardous waste in tanks for 90 days or less to comply with subpart J of part 265. Of all 14,279 LQGs, EPA estimates that 75 percent use containers to accumulate hazardous waste, and the remaining 25 percent use tank systems. The respondent universe for LQGs operating tank systems is 3,570 LQGs.

Depending on how the tank owner desires to comply with the regulations, he or she may need to submit one or more of the following: a no-free-liquids demonstration (§265.190(a)), existing tank system assessments (§265.191), an equivalent containment exemption (§265.193(d)), a variance from secondary containment requirements (§265.193(g)), or annual leak tests and inspections (§265.193(i)). Most LQGs seeking to operate under these conditions have already made the required demonstrations. In general, only LQGs recently subjected to hazardous waste regulations will need to perform these demonstrations. EPA estimates that approximately three percent or 107 respondents are subject to the leak tests and that one percent or 36 LQGs are subject to the other demonstration and testing requirements in sections 265.190 through 265.193.

In addition, in certain circumstances (e.g., a new tank, a hazardous waste release, or a repair to a tank), LQGs must submit one or more of the following: new tank system assessments and certifications (§265.192); an exemption from the 24-hour leak detection requirement (§265.193(e)(3)(iii)); or release

⁷ Based on an analysis of ERNS data finalized in April 2000., adjusted to 2004 BRS levels.

notifications and reports, and major repair certifications (§265.196(d) and (f)). As these are ongoing informational requirements, EPA estimates that:

- Three percent or 107 LQGs will need to make new tank system assessments and certifications. Of that number, approximately four (4) facilities will petition for an exemption from the 24-hour leak detection requirement; and
- One percent or 36 LQGs will report a release or a major repair certification. In addition, approximately four (4) facilities will need compile evidence of their inability to comply with the 24-hour waste removal requirement.

(5) Drip Pads

Under section 262.34(a)(iii), EPA authorizes LQGs to store hazardous waste on drip pads for 90 days or less pursuant to part 265, subpart W. Part 265, subpart W is primarily applicable to those facilities conducting wood preserving operations. EPA expects that most existing wood preserving sites have already conducted the one-time activities (e.g., contingency planning, integrity assessments) required in part 265. New entrants to the wood preserving industry, however, would be subject to these requirements. Based on an analysis of 2005 BRS data, EPA expects that, each year, 9 new sites will be subject to these one-time requirements. EPA further expects that 15 percent of facilities (1) will prepare a contingency plan for incidental drippage and will have a condition contributing to an actual release of hazardous waste and be subject to the recordkeeping, notification, repair and certification requirements.

(6) Containment Buildings

Under section 262.34(a)(iv), EPA authorizes LQGs to store hazardous waste in containment buildings for 90 days or less pursuant to part 265, subpart DD. Part 265, subpart DD is potentially applicable to all large quantity hazardous waste generators. EPA estimates that approximately .1 ~~10~~ percent of the LQGs (14) use containment buildings. EPA estimates that 25 percent of these affected facilities (4) will be subject to the recordkeeping and notice requirements associated with hazardous waste releases, and that all of these 14 facilities will require documentation to support compliance with subpart DD requirements.

(7) Requests for Extensions of the Accumulation Period

EPA promulgated regulations in section 262.34(b) allowing LQGs to request extensions (up to 30 days) of the accumulation period limit from the Regional Administrator. EPA estimates that only one percent of all LQGs, approximately 143 LQGs, will request this extension each year.

LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS (Exhibit 4)

(1) Air Emissions from Process Vents

EPA estimates that 224 generators will be subject to 40 CFR part 265, subpart AA, in light of the applicability requirements of section 265.1030(b)(1)-(3). Of this estimate, approximately 50 percent will be subject to reassessing their implementation schedule, documentation with compliance, and performance plan, among other operating record requirements.

(2) Air Emissions from Equipment Leaks

Based on an analysis of the 2005 BRS, as well as discussions with a sample of large quantity generator facilities, EPA estimates that up to 3,998 (or 28 percent) LQGs are subject to 40 CFR part 265, subpart BB requirements – depending on the specific paperwork burden category.

(a) Notification to implement the alternate valve standard specified in Section 265.1061(a)

Based on previous experience, EPA estimates that 20 percent of generators subject to subpart BB will decide to implement the alternative standard specified in section 265.1061(a) each year. Therefore, 800 facilities will be required to prepare notification to implement the alternate valve standard specified in section 265.1061(a).

(b) Notification to discontinue implementing the alternative valve standard specified in Section 265.1061(a)

Based on previous experience, EPA estimates that 800 generators subject to subpart BB (i.e., 20% of the total affected universe) have implemented the alternative standard for valves specified in section 265.1061(a), and one percent of these generators will discontinue using the alternative standard each year. Therefore, 8 generators will be required to prepare notification to discontinue implementing the alternate valve standard specified in section 265.1061(a).

(c) Notification to implement the alternative valve standard specified in Section 265.1062(b)(2), or (b)(3).

Based on previous experience, EPA estimates that ten percent of generators subject to subpart BB will decide to implement the alternative standard specified in section 265.1062(b)(2) or (b)(3) each year. Therefore, 400 generators will be required to prepare notification to implement the alternate valve standard specified in section 265.1062(b)(2) or (b)(3).

(d) Non-Hazardous Waste Documentation

Based on previous experience, EPA estimates that 10 percent of generators with equipment subject to subpart BB will use knowledge to determine that each piece of equipment does or does not contain hazardous waste with organic concentration that equals or exceeds 10 percent waste. Therefore, approximately 400 facilities will be required to prepare non-hazardous waste documentation.

(e) Unit Operating Record

All generators subject to subpart BB are required to maintain a unit operating record. The contents of the operating record will vary according to site-specific circumstances. A discussion of the respondent burden for each data item is presented below:

(i) Equipment Record

This ICR assumes that generators with equipment subject to subpart BB have already prepared an equipment record. EPA estimates that all generators (3,998) units will reassess, file, and maintain their equipment record, and 10 percent of this universe (approximately 400 units) will modify it annually.

(ii) Implementation Schedule

This ICR assumes that generators with equipment subject to subpart BB have already prepared an implementation schedule. EPA estimates that all generators (3,998) will reassess, file, and maintain their implementation schedule, and 10 percent of this universe (approximately 400 units) will modify it annually.

(iii) Performance Test Plan

This ICR assumes that generators using test data to demonstrate the organic removal efficiency or total organic compound concentration achieved by the control device have already prepared a performance test plan. EPA estimates that all generators using test data to demonstrate the organic removal efficiency or total organic compound concentration achieved by the control device (approximately 3,998 facilities) will reassess, file, and maintain their performance test plan, and 10 percent (approximately 400 units) will modify it annually.

(iv) Documentation of Compliance with Section 264.1060

This ICR assumes that generators subject to subpart BB have already prepared a documentation of compliance. EPA estimates that all generators (3,998 units) will reassess, file, and maintain their section 265.1060 compliance documentation, and 10 percent (approximately 400 units) will modify it annually.

(v) Leak Inspection Log

EPA estimates that all generators subject to subpart BB (3,998 units) may have equipment leaks during the period covered by this ICR. Therefore, 3,998 will be required to prepare and maintain a leak inspection log. All generators will be required to reassess and modify their inspection log.

(vi) Design, Monitoring, Operation, and Inspection Information

This ICR assumes that generators with equipment subject to subpart BB have already prepared design, monitoring, and inspection information for each closed-vent system and control device. EPA estimates that all generators with closed-vent systems and control devices (approximately 3,998 units) will reassess, file, and maintain control device operation documentation, and 10 percent (approximately 400 units) will modify it annually.

(vii) Equipment Log

This ICR assumes that generators with equipment subject to subpart BB have already prepared an equipment log. EPA estimates that all generators (3,998 units) will reassess, file, and maintain their equipment log, and 10 percent (approximately 400 units) will modify it annually.

(viii) Valve Log for Valves Subject to Section 265.1057(g) and (h)

This ICR assumes that generators with valves subject to section 265.1057(g) and (h) have already prepared a valve log. EPA estimates that all generators with valves subject to section 265.1057(g) and (h) (approximately 280 units) will reassess, file, and maintain their valve log, and 10 percent (approximately 28 units) will modify it annually.

(ix) Valve Log for Valves Subject to Section 265.1062

This ICR assumes that generators with valves subject to section 265.1062 have already prepared a valve log. EPA estimates that all generators with valves subject to section 265.1062 (approximately 56 units) will reassess, file, and maintain their valve log, and 10 percent (approximately 6 units) will modify it annually.

(x) Criteria Log

This ICR assumes that generators subject to subpart BB have already prepared a criteria log documenting information required in sections 265.1052(d)(5)(ii) and 265.1053(e)(2) for pumps in light liquid service and compressors. EPA estimates that all generators with equipment subject to sections 265.1052(d)(5)(ii) and 265.1053(e)(2) (3,998 units) will reassess, file, and maintain their criteria log, and 10 percent (approximately 400 units) will modify it annually.

(xi) Exemption Log

This ICR assumes that generators potentially subject to subpart BB have already documented information determining applicability of subpart BB to their unit's equipment. EPA estimates that all generators (3,998 units) will reassess, file, and maintain this documentation, and 10 percent (approximately 400 units) will modify it annually.

SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS (Exhibit 5)

(1) Labeling

This ICR assumes that all SQGs will need to label their containers and tanks in compliance with the section 262.34(a)(2) and (3) and section 262.34(c) requirements.

(2) Emergency Procedures

EPA promulgated regulations in section 262.34 requiring SQGs to immediately notify the local fire department and/or National Response Center, as specified, for emergencies. Based on recent ERNS data, EPA estimates that 1.7 percent of all SQGs (1,483) will report such an event each year.

(3) Requests for Extensions of the Accumulation Period

EPA promulgated regulations in section 262.34(f) allowing SQGs to request from the Regional Administrator extensions (up to 30 days) of the accumulation period limit. EPA estimates that one tenth of one percent of all respondents, approximately 87 SQGs, will request an extension each year.

EXPORT AND IMPORT REQUIREMENTS (Exhibit 6 and 7)

Based on export notifications tracked by EPA's Office of Enforcement and Compliance Assurance (OECA), EPA estimates that approximately 621 generators will export hazardous waste each year under 40 CFR 262.53, and .55 - .57, and will be required to notify EPA of their intention to export hazardous waste, file an Annual Report with the Administrator summarizing the types, quantities, frequencies, and ultimate destination of all hazardous wastes exported during the previous years, and keep copies of relevant documents for a period of three years. Because SQGs are not required to submit waste volume and toxicity reduction information in their Annual Reports, EPA accordingly differentiated LQG and SQG Annual Report burden hour estimates in Exhibit 7. EPA estimates that 95.6 percent, or 594 of the 621 exporters, will be LQGs and 4.4 percent, or 27 of the 621 exporters, will be SQGs.

6(e) Bottom Line Burden Hours and Costs

Based on the above assumptions, affected universes and associated labor and operating costs, EPA estimates that 286,866 burden hours and \$11,321,660 will be required annually to support recordkeeping and reporting requirements for large and small quantity generators. This equates to 860,598 hours and \$33,964,980 for the three year period of this ICR.

EPA also estimates that the burden to the Federal Government will be 4,701 hours and an annual cost of \$143,003.

6(f) Changes in Estimated Burden

EPA estimates a decrease of 168,486 annual hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burden of 455,387 hours – a decrease of 37 percent.. This decrease in estimated burden can be attributed to two sources: the update of the number of affected LQG and SQG facilities based on the 2005 Biennial Report, and the change in burden associated with contingency plans and containment buildings for LQGs. The SQG universe decreased from 107,366 to 87,221 facilities, and the LQG universe decreased from 17,016 to 14,279 facilities. This update of the affected universe resulted in an estimated decrease of 59,140 hours. The decrease due to the change in the contingency plan and containment buildings assumptions for the LQGs only resulted in an estimated decrease of 91,771 hours. Finally, there was an additional reduction in the estimated burden due to both the change in the number of LQG facilities and the change in the contingency plan and containment buildings assumptions for LQGs of 17,590 hours. These numbers do not add to 168,486 because of rounding errors.

6(g) Burden Statement

The average public reporting under this collection of information is estimated to be 2.78 hours per respondent. The average public recordkeeping burden under this collection of information is estimated to be 0.05 hours.

Burden means the total time, effort, and financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions

and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-RCRA-2007-0417, which is available for online viewing at www.regulations.gov, or in person viewing at the RCRA Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202)566-1744, and the telephone number for RCRA Docket is (202)566-0270.

Use www.regulations.gov to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

EXHIBIT 2:

ANNUAL RESPONDENT BURDEN/COST ESTIMATES
 READING THE REGULATIONS

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$81.13/hr	@ \$65.61/hr	@ \$36.34/hr	@ \$17.99/hr	@ \$0.41/doc	@ \$0.11/page				
Read the Regulations:											
LQGs	14,279	0.25	0.25	0.50	0.00	\$0.00	\$0.00	\$0.00	14,279	\$54.86	\$783,275
SQGs	87,221	0.15	0.15	0.40	0.00	\$0.00	\$0.00	\$0.00	61,055	\$36.55	\$3,187,666
TOTAL	N/A	N/A	N/A	N/A	0.00	\$0.00	\$0.00	\$0.00	75,334	varies	\$3,970,940

EXHIBIT 3:

**ANNUAL RESPONDENT BURDEN/COST ESTIMATES
FOR LARGE QUANTITY GENERATORS**

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per	
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other		Respondent/ Shipment	Total Cost per Year
		@ \$81.13/hr	@ \$65.61/hr	@ \$36.34/hr	@ \$17.99/hr	@ \$1.48/doc	@ \$0.11/page				
Hazardous Waste Determination Requirements (LQGs and SQGs):											
Test the Waste	0	0.00	0.00	20.00	0.00	\$1.48	\$1.10	\$2,090.79	0	\$2,820.17	\$0
Use Knowledge of the Waste	0	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0
Subtotal	0	0.00	0.00	20.00	0.00	\$0.00	\$0.00	\$0.00	0	\$2,820.17	\$0
Large Quantity Generator											
Pre-Transport Requirements											
Labeling											
Label containers in 90-day accumulation (262.34(a)(2) and (3))	14,279	0.00	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	14,279	\$36.34	\$518,899
Label the containers in satellite accumulation(262.34(c))	14,279	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$0.00	7,140	\$18.17	\$259,449
Subtotal	14,279	0.00	varies	1.50	varies	\$0.00	\$0.00	\$0.00	21,419	varies	\$778,348
Personnel Training (265.16(d))											
Collect job-related data	3,141	0.00	0.00	0.00	0.50	\$0.00	\$0.00	\$0.00	1,571	\$9.00	\$28,253
Maintain information at facility	3,141	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	314	\$1.80	\$5,651
Subtotal	3,141	0.00	0.00	0.00	0.60	\$0.00	\$0.00	\$0.00	1,885	varies	\$33,904
Contingency Planning and Emergency Procedures Requirements											
Contingency Plan (265.37(b), 265.51, 265.52, and 265.53(a))											
Collect data required in contingency plan	214	0.00	0.00	2.00	1.00	\$0.00	\$0.00	\$0.00	642	\$90.67	\$19,403
Document whether authorities decline arrangement	214	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	21	\$1.80	\$385
Write contingency plan	214	0.00	0.00	6.00	2.00	\$0.00	\$0.00	\$0.00	1,712	\$254.02	\$54,360
Maintain contingency plan	14,279	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	1,428	\$1.80	\$25,688
Submit contingency plan to relevant emergency centers	214	0.00	0.00	0.00	0.16	\$1.48	\$3.30	\$0.40	34	\$8.05	\$1,724
Amend contingency plan when appropriate	1,428	0.00	0.00	1.00	1.00	\$0.00	\$0.10	\$0.00	2,856	\$54.43	\$77,726

Emergency Procedures (265.56(d))											
Collect information required in emergency report	243	0.00	0.00	1.00	1.00	\$0.00	\$0.00	\$0.00	486	\$54.33	\$13,202
Write emergency report	243	0.17	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	284	\$50.13	\$12,182
Call OSC or notify NRC; notify local authorities if advisable	243	0.00	0.10	0.90	0.00	\$0.00	\$0.00	\$10.00	243	\$49.27	\$11,972
Notification of Compliance (265.56(i))											
Collect information required in emergency notification report	243	0.00	0.00	0.50	0.50	\$0.00	\$0.00	\$0.00	243	\$27.17	\$6,601
Write emergency notification report	243	0.17	0.00	0.50	0.50	\$0.00	\$0.00	\$0.00	284	\$40.96	\$9,953
Submit report to Regional Administrator	243	0.00	0.00	0.00	0.16	\$1.48	\$0.55	\$0.07	39	\$4.97	\$1,209
Compile information demonstrating compliance	243	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$0.00	122	\$18.17	\$4,415
Subtotal	varies	0.00	varies	varies	varies	\$676.36	\$982.65	\$2,530.78	8,395	varies	\$238,820
Tank System Requirements											
Free Liquids Absence Demonstration (265.190(a))											
Perform test as required	36	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$0.00	18	\$18.17	\$654
Place test results in record	36	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	4	\$1.80	\$65
Sufficiency Demonstration (265.191)											
Perform leak test	36	0.00	0.00	10.00	0.00	\$0.00	\$0.00	\$0.00	360	\$363.40	\$13,082
Obtain independent engineer's assessment of tank integrity	36	0.00	0.00	6.00	2.00	\$0.00	\$0.00	\$0.00	288	\$254.02	\$9,145
File assessment at facility	36	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	4	\$1.80	\$65
Tank System Assessments (265.192)											
Obtain written assessment and have it reviewed & certified	107	0.00	1.00	13.00	1.00	\$0.00	\$0.00	\$0.00	1,605	\$556.02	\$59,494
Obtain written statements from those who certified design of tank system and supervised installation	107	0.00	1.00	7.00	4.00	\$0.00	\$0.00	\$0.00	1,284	\$391.95	\$41,939
File written statements at facility	107	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$192
Secondary Containment (265.193)											
Equivalent Containment Devices (265.193(d))											
Gather design and other information	36	0.00	0.00	2.00	2.00	\$0.00	\$0.00	\$0.00	144	\$108.66	\$3,912
Submit information to Regional Administrator	36	0.00	0.10	0.00	0.16	\$1.48	\$0.55	\$0.07	9	\$11.54	\$415

Exemption from 24-Hour Leak Detection Requirement (265.193(e)(3)(iii))												
Compile evidence that leak detection system cannot detect failure or contamination within 24 hours	4	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	16	\$145.36	\$581	
Submit evidence to Regional Administrator	4	0.00	0.10	0.00	0.16	\$1.48	\$0.55	\$0.07	1	\$11.54	\$46	
Variance from Secondary Containment Requirements (265.193(g))												
Prepare notification of intent to conduct demonstration	4	0.00	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	4	\$36.34	\$145	
Submit notification to Regional Administrator	4	0.00	0.00	0.00	0.16	\$1.48	\$0.55	\$0.07	1	\$4.97	\$20	
Complete demonstration	4	0.00	1.00	9.00	2.00	\$0.00	\$0.00	\$0.00	48	\$428.65	\$1,715	
Submit completed demonstration to Regional Administrator	4	0.00	0.10	0.00	0.16	\$1.48	\$0.55	\$0.07	1	\$11.54	\$46	
Annual Leak Tests and Inspections (265.193(i))												
Conduct leak test (non-enterable underground tanks only)	107	0.00	0.00	12.00	0.00	\$0.00	\$0.00	\$0.00	1,284	\$436.08	\$46,661	
Conduct annual leak test (all other tanks)	107	0.00	0.00	16.00	0.00	\$0.00	\$0.00	\$0.00	1,712	\$581.44	\$62,214	
Record inspection and/or test results	107	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	214	\$72.68	\$7,777	
Maintain record of results on file at facility	107	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$192	
Exemptions from 24-Hour Waste Removal Requirement (265.196(b))												
Compile evidence of inability to remove waste timely	4	0.00	0.00	2.00	1.00	\$0.00	\$0.00	\$0.00	12	\$90.67	\$363	
Submit evidence to Regional Administrator	4	0.00	0.10	0.00	0.16	\$1.48	\$0.55	\$0.07	1	\$11.54	\$46	
Release Notifications and Reports (265.196(d))												
Notify Regional Administrator of release	36	0.00	0.10	0.40	0.00	\$0.00	\$0.00	\$5.00	18	\$26.10	\$939	
Prepare detailed report for Regional Administrator	36	0.17	0.10	3.00	1.90	\$0.00	\$0.00	\$0.00	186	\$163.55	\$5,888	
Submit report to Regional Administrator	36	0.00	0.10	0.00	0.16	\$1.48	\$0.55	\$0.07	9	\$11.54	\$415	
Major Repair Certifications (265.196(f))												
Obtain certification	36	0.00	0.00	4.00	4.00	\$0.00	\$0.00	\$0.00	288	\$217.32	\$7,824	
Submit certification to Regional Administrator	36	0.00	0.00	0.00	0.16	\$1.48	\$0.55	\$0.07	6	\$4.97	\$179	
Subtotal	varies	0.00	varies	varies	varies	\$183.52	\$68.20	\$188.18	7,538	varies	\$264,015	
Drip Pad Requirements (262.34(a)(1)(iii))												
Contingency Plan (265.440(c)(1))												
Write contingency plan	1	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	2	\$72.68	\$73	
Document clean-up of incidental drippage	1	0.00	0.00	0.25	0.25	\$0.00	\$0.00	\$0.00	1	\$13.58	\$14	
Retain documentation for 3 years	1	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	0	\$1.80	\$2	

Assess adequacy of drip pads (265.441(a)(b)(c))												
Prepare and maintain assessment of pad integrity	0	0.00	0.00	2.00	1.00	\$0.00	\$0.00	\$0.00	0	\$90.67	\$0	
Prepare plan for upgrading pad	0	0.00	0.10	5.00	1.00	\$0.00	\$0.00	\$0.00	0	\$206.25	\$0	
Prepare drawings of pad and obtain independent certification	0	0.00	0.20	6.50	0.30	\$0.00	\$0.55	\$0.07	0	\$255.35	\$0	
Design and Operating Requirements (265.443)												
Prepare an assessment of drip pad and obtain certification	9	0.00	0.25	4.00	0.25	\$0.00	\$0.00	\$0.00	41	\$166.26	\$1,496	
Place a record of any condition contributing to or actual release of hazardous waste from drip pad in operating log	1	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	0	\$9.09	\$9	
Notify Regional Administrator of release & provide written notice	1	0.17	0.10	0.40	0.00	\$1.48	\$0.55	\$2.00	1	\$38.92	\$39	
Notify Regional Administrator of completion of repairs	1	0.00	0.10	0.40	0.00	\$1.48	\$0.22	\$0.00	1	\$22.80	\$23	
Provide Regional Administrator independent certification that repairs satisfy applicable standards	1	0.00	0.10	1.00	0.10	\$1.48	\$0.55	\$0.07	1	\$46.80	\$47	
Prepare documentation of operating/waste handling practices	9	0.00	0.00	2.00	0.00	\$0.00	\$0.55	\$0.07	18	\$73.30	\$660	
Certification of liner (265.444(a))												
Obtain independent certification of liner	9	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	19	\$74.48	\$670	
Place certification in operating log	9	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	1	\$1.80	\$16	
Documentation of waste removal (262.34(a)(1)(iii))												
Prepare description of 90-day waste removal practices	9	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	2	\$9.09	\$82	
Document each waste removal	9	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	2	\$9.09	\$82	
Subtotal	varies	0.00	varies	varies	varies	\$4.44	\$6.27	\$2.66	88	varies	\$3,212	
Containment Building Requirements (262.34(a)(1)(iv))												
Design and Performance Documentation (265.1101(c)(d))												
Obtain independent certification of building design	14	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	29	\$74.48	\$1,043	
Place certification in operating record	14	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	1	\$1.80	\$25	
Maintain records of any release from containment building	4	0.00	0.00	0.25	0.10	\$0.00	\$0.00	\$0.00	1	\$10.88	\$44	
Notify Regional administrator of any condition contributing to or actual release of hazardous waste and follow-up notice	4	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	8	\$72.68	\$291	
Notify Regional Administrator of clean-up or repairs	4	0.17	0.10	0.40	0.10	\$0.00	\$0.00	\$0.00	3	\$36.69	\$147	
Record monitoring and leak detection data and place in operating record at least every 7 days	14	0.00	0.00	0.00	10.00	\$0.00	\$0.00	\$0.00	140	\$179.90	\$2,519	

Documentation of Areas Lacking Secondary Containment (265.110)											
Place in operating log description of procedures to maintain integrity of areas lacking secondary containment	14	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	29	\$74.48	\$1,043
Documentation of Procedures and Compliance (262.34(a)(1)(iv))											
Prepare procedures ensuring waste is stored no more than 90 days	14	0.00	0.00	1.00	0.10	\$0.00	\$0.00	\$0.00	15	\$38.14	\$534
Prepare description of waste generation and waste management practices	14	0.00	0.00	1.50	0.10	\$0.00	\$0.00	\$0.00	22	\$56.31	\$788
Document that 90-day storage procedures are satisfied	14	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	4	\$9.09	\$127
Document that unit is emptied at least once every 90 days	14	0.00	0.00	1.00	0.40	\$0.00	\$0.00	\$0.00	20	\$43.54	\$610
Subtotal	varies	0.00	varies	varies	varies	\$0.00	\$0.00	\$0.00	274	598	\$7,169
Requests for Extensions of Accumulation Period (262.34(b))											
Prepare and submit request to Regional Administrator	143	0.10	0.10	0.00	0.40	\$1.48	\$0.00	\$0.00	86	\$23.35	\$3,339
Subtotal	143	0.10	0.10	0.00	0.40	\$211.64	\$0.00	\$0.00	86	\$233.51	\$3,339
Subtotal for LQG Pre-Transport Requirements	varies	0.00	varies	varies	varies	\$1,075.96	\$1,057.12	\$2,721.63	39,683	varies	\$1,328,807

EXHIBIT 4:

ANNUAL RESPONDENT BURDEN/COST ESTIMATES
FOR LARGE QUANTITY GENERATORS

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$81.13/hr	@ \$65.61/hr	@ \$36.34/hr	@ \$17.99/hr	@ \$1.48/doc	@ \$0.11/page				
Large Quantity Generator											
Air Emission Standards Requirements											
Process Vents											
Control Device Operation Documentation											
Reassess and file documentation	112	0.00	0.00	1.50	0.50	\$0.00	\$0.00	\$0.00	224	\$63.51	\$7,113
Modify documentation	112	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	448	\$145.36	\$16,280
Maintain documentation at the facility (265.1035)(e)(2)	224	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	22	\$1.80	\$403
Waste Determination											
Gather information (initially and annually thereafter)	224	0.00	8.00	16.00	8.00	\$0.00	\$0.00	\$0.00	7,168	\$1,250.24	\$280,054
Document information (initially and annually thereafter)	224	0.00	0.00	0.00	2.00	\$0.00	\$0.00	\$0.00	448	\$35.98	\$8,060
Maintain documentation at the facility (initially and annually thereafter)	224	0.00	0.00	0.00	0.40	\$0.00	\$0.00	\$0.00	90	\$7.20	\$1,612
Facility operating record: Implementation schedule											
Reassess implementation schedule	112	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	224	\$72.68	\$8,140
File and maintain implementation schedule	112	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$201
Modify implementation schedule	112	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	448	\$145.36	\$16,280
Facility operating record: Up-to-date documentation of compliance (265.1032)											
Reassess up-to-date documentation of compliance	112	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	224	\$72.68	\$8,140
File and maintain up-to-date documentation of compliance	112	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$201
Modify up-to-date documentation of compliance	112	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	448	\$145.36	\$16,280
Facility operating record: Performance Test Plan											
Reassess performance test plan	112	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	224	\$72.68	\$8,140
File and maintain performance test plan	112	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$201
Modify performance test plan	112	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	448	\$145.36	\$16,280

Facility operating record: Documentation of compliance (265.1033)												
Reassess up-to-date documentation	112	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	224	\$72.68	\$8,140	
File and maintain up-to-date documentation	112	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$201	
Modify up-to-date documentation	112	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	448	\$145.36	\$16,280	
Facility operating record: Design/monitoring/operation/inspection information												
Reassess information	112	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	224	\$72.68	\$8,140	
File and maintain information	112	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$201	
Modify information	112	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	448	\$145.36	\$16,280	
Facility operating record: Determination of applicability to Subpart AA												
Reassess determination	112	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	224	\$72.68	\$8,140	
File and maintain determination	112	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	11	\$1.80	\$201	
Modify determination	112	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	448	\$145.36	\$16,280	
Subtotal	Varies	0.00	varies	varies	varies	\$0.00	\$0.00	\$0.00	12,499	varies	\$461,253	
Equipment Leaks												
Notification to implement the alternative valve standard in (265.1061)(a)												
Prepare notification	800	0.00	0.25	1.00	0.25	\$0.00	\$0.00	\$0.00	1,200	\$57.24	\$45,792	
Submit notification to the Region	800	0.00	0.00	0.00	0.16	\$1.48	\$0.00	\$0.00	128	\$4.36	\$3,487	
Notification to discontinue alternative valve standard in (265.1061)(a)												
Prepare notification	8	0.00	0.25	1.00	0.25	\$0.00	\$0.00	\$0.00	12	\$57.24	\$458	
Submit notification to the Region	8	0.00	0.00	0.00	0.16	\$1.48	\$0.00	\$0.00	1	\$4.36	\$35	
Notification to implement alternative valve standard (265.1061)(b)(2) and (265.1062)(b)(3)												
Prepare notification	200	0.00	0.25	1.00	0.25	\$0.00	\$0.00	\$0.00	300	\$57.24	\$11,448	
Submit notification to the Region	200	0.00	0.00	0.00	0.16	\$1.48	\$0.00	\$0.00	32	\$4.36	\$872	
Non-hazardous waste documentation												
Gather production process, waste generation, and specification analysis (4 times annually)	400	0.00	0.00	10.00	0.00	\$0.00	\$0.00	\$0.00	4,000	\$363.40	\$145,360	
Document production process, waste generation and specification analysis (4 times annually)	400	0.00	0.00	16.00	0.00	\$0.00	\$0.00	\$0.00	6,400	\$581.44	\$232,576	
Maintain documentation at the facility (4 times annually)	400	0.00	0.00	0.00	2.00	\$0.00	\$0.00	\$0.00	800	\$35.98	\$14,392	

Facility Operating Record (265.1064)(b): Equipment record												
Reassess equipment record	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain equipment record	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify equipment record	400	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	1,600	\$145.36	\$58,144	
Facility Operating Record: Implementation schedule												
Reassess implementation schedule	3,998	0.00	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	3,998	\$36.34	\$145,287	
File and maintain schedule	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify implementation schedule	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	
Facility Operating Record: Performance Test Plan												
Reassess performance test plan	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain plan	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify performance test plan	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	
Facility Operating Record: Documentation of compliance with (265.1060)												
Reassess up-to-date documentation	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain up-to-date documentation	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify up-to-date documentation	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	
Facility Operating Record: Leak inspection log												
Prepare a leak inspection log	3,998	0.00	0.00	2.00	2.00	\$0.00	\$0.00	\$0.00	15,992	\$108.66	\$434,423	
Reassess leak inspection log	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain inspection log	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify leak inspection log	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	
Facility Operating Record: Design/monitoring/operation/inspection information												
Reassess information	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain information	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify information	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	

Facility Operating Record: Equipment Log												
Reassess equipment log	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain an equipment log	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify equipment log	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	
Facility Operating Record: Valve Log (265.1057)(g) and (h) (Not in compliance)												
Reassess valve log	280	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	560	\$72.68	\$20,350	
File and maintain valve log	280	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	28	\$1.80	\$504	
Modify valve log	28	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	56	\$72.68	\$2,035	
Facility Operating Record: Valve Log (265.1062) (In compliance)												
Reassess valve log	56	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	112	\$72.68	\$4,070	
File and maintain valve log	56	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	6	\$1.80	\$101	
Modify valve log	6	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	12	\$72.68	\$436	
Facility Operating Record: Criteria Log												
Reassess criteria log	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain criteria log	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify criteria log	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	
Facility Operating Record: Exemption Log												
Reassess exemption log	3,998	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	7,996	\$72.68	\$290,575	
File and maintain exemption log	3,998	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	400	\$1.80	\$7,192	
Modify exemption log	400	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	800	\$72.68	\$29,072	
Subtotal	varies	0.00	varies	varies	varies	\$1,491.84	\$0.00	\$0.00	109,203	varies	\$3,741,674	
Subtotal for LQG Air Emission Standards Requirements	varies	0.00	varies	varies	varies	\$1,491.84	\$0.00	\$0.00	121,702	varies	\$4,202,927	

EXHIBIT 5:

ANNUAL RESPONDENT BURDEN/COST ESTIMATES
FOR SMALL QUANTITY GENERATORS

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$81.13/hr	@ \$65.61/hr	@ \$36.34/hr	@ \$17.99/hr	@ \$1.48/doc	@ \$0.11/page				
Small Quantity Generator											
Pre-Transport Requirements											
<i>Labeling</i>											
Label containers in 180-day accumulation	87,221	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	21,805	\$9.09	\$792,403
Label containers in satellite accumulation	87,221	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	21,805	\$9.09	\$792,403
Subtotal	87,221	0.00	0.00	0.50	varies	\$0.00	\$0.00	\$0.00	43,611	varies	\$1,584,806
<i>Emergency Procedures (262.34(d))</i>											
Observe scene of hazardous waste discharge	1,483	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$0.00	742	\$18.17	\$26,946
Report by phone requested data items to NRC	1,483	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$5.00	742	\$23.17	\$34,361
Document that local officials decline to enter into arrangements for coordinating response	1,483	0.00	0.00	0.10	0.00	\$0.00	\$0.00	\$0.00	148	\$3.63	\$5,389
Post emergency information by phone	1,483	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	148	\$1.80	\$2,668
Subtotal	1,483	0.00	0.00	1.10	0.10	\$0.00	\$0.00	\$0.00	1,780	varies	\$69,364
<i>Requests for Extensions of the Accumulation Period (262.34(f))</i>											
Prepare and submit request to Regional Administrator	87	0.00	0.10	0.00	0.40	\$1.48	\$0.00	\$0.00	44	\$15.24	\$1,326
Subtotal	87	0.00	0.10	0.00	0.40	\$128.76	\$0.00	\$0.00	44	\$15.24	\$1,326
Subtotal for SQG Pre-Transport Requirements	varies	0.00	varies	varies	varies	\$128.76	\$0.00	\$7,415.00	45,434	varies	\$1,655,496

EXHIBIT 6:

ANNUAL RESPONDENT BURDEN/COST ESTIMATES
EXPORT REQUIREMENTS

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other		
		@ \$81.13/hr	@ \$65.61/hr	@ \$36.34/hr	@ \$17.99/hr	@ \$1.48/doc	@ \$0.11/page			
Export Requirements										
<i>Notification of Intent to Export Requirements (262.53(a))</i>										
Collect specific export information (262.83(e))	621	0.00	0.00	1.50	0.00	\$0.00	\$0.55	\$0.00	932	\$55.06
Prepare and submit notification to EPA (262.83(e))	621	0.00	0.10	0.30	1.50	\$1.48	\$0.00	\$0.00	1,180	\$45.93
Subtotal	621	0.00	varies	varies	varies	\$919.08	\$341.55	\$0.00	2,111	varies
<i>Renotification of Intent to Export Requirements (262.54(g))</i>										
Collect specific changes to export information	40	0.00	0.00	0.50	0.00	\$0.00	\$0.55	\$0.00	20	\$18.72
Prepare and submit notification to EPA	40	0.00	0.10	0.00	0.50	\$1.48	\$0.00	\$0.00	24	\$17.04
Subtotal	40	0.00	varies	varies	varies	\$59.20	\$22.00	\$0.00	44	varies
<i>Additional Reporting (262.53(d))</i>										
Gather and provide additional information	2	0.00	0.00	0.50	0.50	\$1.48	\$0.55	\$0.00	2	\$29.20
Subtotal	2	0.00	0.00	0.50	0.50	\$2.96	\$1.10	\$0.00	2	\$29.20
<i>Annual Report Requirements (262.56(a))</i>										
Research specific export information (LQGs)	594	0.00	0.00	1.00	1.00	\$0.00	\$0.55	\$0.00	1,188	\$54.88
Prepare and submit report (LQGs)	594	0.00	0.10	1.00	0.30	\$1.48	\$0.00	\$0.00	832	\$49.78
Research specific export information (SQGs)	27	0.00	0.00	0.50	0.50	\$0.00	\$0.55	\$0.00	27	\$27.72
Prepare and submit report (SQGs)	27	0.00	0.10	0.50	0.50	\$1.48	\$0.00	\$0.00	30	\$35.21
Subtotal	varies	0.00	varies	varies	varies	\$39.96	\$14.85	\$0.00	2,076	varies
<i>Recordkeeping Requirements (262.57(a))</i>										
File and maintain notification and reports listed above	621	0.00	0.00	0.00	0.25	\$0.00	\$0.00	\$0.00	155	\$4.50
Subtotal	621	0.00	0.00	0.00	0.25	\$0.00	\$0.00	\$0.00	155	\$4.50
Subtotal for Export Requirements -	varies	0.00	varies	varies	varies	\$1,021.20	\$379.50	\$0.00	4,389	varies

EXHIBIT 7

IMPORTS/EXPORTS

ESTIMATED ANNUAL INCREMENTAL RESPONDENT BURDEN AND COST (OECD Countries Only) (Recycling only)

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$81.13/hr	@ \$65.61/hr	@ \$36.34/hr	@ \$17.99/hr	@ \$1.48/doc	@ \$0.11/page				
<i>Notification Requirements: Intent to Trade (262.83(e))</i>											
Collect specific information	36	0.00	0.00	1.75	0.00	\$0.00	\$0.55	\$0.00	63	\$64.15	\$2,309
Prepare and submit notification to EPA	36	0.00	0.25	0.60	1.75	\$1.48	\$0.00	\$0.00	94	\$71.17	\$2,562
Subtotal	36	0.00	varies	varies	varies	\$53.28	\$19.80	\$0.00	157	varies	\$4,871
<i>Additional Reporting (262.85(g))</i>											
Gather and provide additional information	1	0.00	0.00	0.55	0.55	\$1.48	\$0.55	\$0.00	1	\$31.91	\$32
Subtotal	1	0.00	0.00	0.00	0.00	\$1.48	\$0.55	\$0.00	1	\$31.91	\$32
<i>Annual Report Requirements (262.87(a))</i>											
Research specific export information (LQGs)	34	0.00	0.00	1.00	1.00	\$0.00	\$0.55	\$0.00	68	\$54.88	\$1,866
Prepare and submit report (LQGs)	34	0.00	0.10	1.00	0.30	\$1.48	\$0.00	\$0.00	48	\$49.78	\$1,692
Research specific export information (SQGs)	2	0.00	0.00	0.50	0.50	\$0.00	\$0.55	\$0.00	2	\$27.72	\$55
Prepare and submit report (SQGs)	2	0.00	0.10	0.50	0.50	\$1.48	\$0.00	\$0.00	2	\$35.21	\$70
Subtotal	varies	0.00	varies	varies	varies	\$53.28	\$19.80	\$0.00	120	varies	\$3,684
<i>Recordkeeping Requirements (262.87(c))</i>											
File and maintain notification and reports listed above	36	0.00	0.00	0.00	0.25	\$0.00	\$0.00	\$0.00	9	\$4.50	\$162
Subtotal	36	0.00	0.00	0.00	0.25	\$0.00	\$0.00	\$0.00	9	\$4.50	\$162
<i>OECD Tracking Document (262.84)</i>											
Exporter Completes Tracking Document (LQGs + SQGs)	21	0.00	0.00	0.50	0.50	\$0.00	\$0.55	\$0.00	21	\$27.72	\$582
Importer Signs Tracking Document and Transmits Copies	15	0.00	0.10	0.50	0.50	\$1.48	\$0.00	\$0.00	17	\$35.21	\$528
Subtotal	varies	0.00	varies	varies	varies	\$22.20	\$11.55	\$0.00	38	varies	\$1,110
Sub Total for OECD Requirements	varies	0.00	varies	varies	varies	\$130.24	\$51.70	\$0.00	324	varies	\$9,859.44

Exhibit 8 -SUMMARY OF ANNUAL AND THREE-YEAR RESPONDENT BURDEN AND COST							
<i>GENERATOR ACTIVITY</i>	<i>ANNUAL HOURLY BURDEN</i>	<i>ANNUAL HOURLY BURDEN</i>	<i>TOTAL ANNUAL HOUR BURDEN</i>	<i>TOTAL ANNUAL LABOR COST</i>	<i>CAPITAL COSTS</i>	<i>O&M COSTS</i>	<i>TOTAL COSTS</i>
	RECORDKEEPING	REPORTING					
<i>Exhibit 2</i>	0	75,334	75,334	\$3,970,940	----	\$0	\$3,970,940
<i>Exhibit 3</i>	790	38,893	39,683	\$1,323,952	----	\$4,855	\$1,328,807
<i>Exhibit 4</i>	4,212	117,490	121,702	\$4,201,435	----	\$1,492	\$4,202,927
<i>Exhibit 5</i>	0	45,434	45,434	\$1,647,952	----	\$7,544	\$1,655,496
<i>Exhibit 6</i>	155	4,234	4,389	\$129,460	----	\$1,401	\$130,861
<i>Exhibit 7</i>	9	315	324	\$9,678	----	\$182	\$9,859
<i>ANNUAL CAPITAL COSTS</i>	----			----	\$22,770	----	\$22,770
TOTAL ONE YEAR	5,166	281,700	286,866	\$11,283,417	\$22,770	\$15,473	\$11,321,660
TOTAL THREE-YEAR	15,498	845,100	860,598	\$33,850,252	\$68,310	\$46,419	\$33,964,980

<i>Air Emission Standards Requirements (40 CFR Subparts AA and BB)</i>											
Review notice to implement alternative valve standard in (265.1061)(a)	800	0.00	0.00	1.00	0.00	\$0.00	\$0.00	800	\$31.26	\$25,008	
Review notice to discontinue alternative valve standard in (265.1061)(a)	8	0.00	0.00	1.00	0.00	\$0.00	\$0.00	8	\$31.26	\$250	
Review notice to implement alternative valve standard (265.1061)(b)(2) and (265.1062)(b)(3)	200	0.00	0.00	1.00	0.00	\$0.00	\$0.00	200	\$31.26	\$6,252	
Subtotal	varies	0.00	0.00	1.00	varies	varies	varies	1,008	-----	\$31,510	
<i>Recordkeeping and Reporting Requirements (262.40, 262.43)</i>											
Review submitted information	101	0.00	0.00	0.50	0.00	\$0.00	\$0.00	51	\$15.63	\$1,579	
Enter information into database	101	0.00	0.00	0.50	0.50	\$0.00	\$0.00	101	\$25.60	\$2,586	
Subtotal	varies	0.00	0.00	0.50	varies	varies	varies	152	-----	\$4,164	
<i>International Trade Requirements (262.53, 262.55, 262.56, 262.57, 262.83(e), 262.85(g))</i>											
Review submitted information	698	0.00	0.00	1.00	0.00	\$0.00	\$0.00	698	\$31.26	\$21,819	
Submit, in conjunction with Department of State, notification to receiving country and any transit countries	698	0.00	0.00	0.00	0.16	\$4.50	\$0.55	112	\$8.24	\$5,752	
Forward to primary exporter acknowledgement of consent or written notification of objection	698	0.00	0.00	0.00	0.16	\$4.50	\$0.55	112	\$8.24	\$5,752	
Review annual reports 262.56(a)	657	0.00	0.00	0.25	0.00	\$0.00	\$0.00	164	\$7.82	\$5,134	
Forward to receiving government additional information	3	0.00	0.00	0.00	0.16	\$4.50	\$0.55	0	\$8.24	\$25	
Enter reviewed information into database	1,358	0.00	0.00	0.00	0.50	\$0.00	\$0.00	679	\$9.97	\$13,539	
Subtotal	varies	0.00	0.00	varies	varies	varies	varies	1,765	-----	\$52,022	

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<i>OECD Countries : Exporter Provisions for Recovery (262.83(b)& (c), 262.84(e))</i>											
Receive and Record Acknowledgement of Receipt from Importing country	15	0.00	0.25	0.00	0.10	\$0.00	\$0.00	5	\$15.05	\$226	
Receive and record Tracking Document from Importing country	15	0.00	0.25	0.00	0.10	\$0.00	\$0.00	5	\$15.05	\$226	
Subtotal	30	0.00	0.50	0.00	0.20	varies	varies	11	-----	\$452	
<i>OECD Countries : Importer Provisions for Recovery (262.83(b)& (c), 262.84(e))</i>											
Transmit Acknowledgement of Receipt to foreign exporters and competent authority	15	0.00	0.25	0.00	0.10	\$4.50	\$0.00	5	\$19.55	\$293	
Receive and record Tracking Document from Importing facility	15	0.00	0.25	0.00	0.10	\$0.00	\$0.00	5	\$15.05	\$226	
Subtotal	30	0.00	0.50	0.00	0.20	varies	varies	11	-----	\$519	
Total	varies	varies	varies	varies	varies	varies	varies	4,701	-----	\$143,003	