

**SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST #1608.05**

STATE PROGRAM ADEQUACY DETERMINATION:

**MUNICIPAL SOLID WASTE LANDFILLS (MSWLFs)
and
NON-MUNICIPAL, NON-HAZARDOUS
WASTE DISPOSAL UNITS THAT RECEIVE CONDITIONALLY EXEMPT
SMALL QUANTITY GENERATOR (CESQG) HAZARDOUS WASTE
(RENEWAL)**

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1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title and Number of the Information Collection

“State Program Adequacy Determination: Municipal Solid Waste Landfills (MSWLFs) And Non-Municipal, Non-Hazardous Waste Disposal Units That Receive Conditionally Exempt Small Quantity Generator (CESQG) Hazardous Waste (Renewal),” ICR number 1608.05.

1(b) Short Characterization

Section 4010(c) of the Resource Conservation and Recovery Act (RCRA) of 1976 requires that the Environmental Protection Agency (EPA) revise the landfill criteria promulgated under paragraph (1) of Section 4004(a) and Section 1008(a)(3). Section 4005(c) of RCRA, as amended by the Hazardous Solid Waste Amendments (HSWA) of 1984, requires states to develop and implement permit programs to ensure that non-municipal, non-hazardous waste disposal units that receive household hazardous waste or CESQG hazardous waste and municipal solid waste landfills are in compliance with the revised criteria for the design and operation of non-municipal, non-hazardous waste disposal units under 40 CFR part 257, subpart B and MSWLFs under 40 CFR part 258. (40 CFR part 257, subpart B and 40 CFR part 258 are henceforth referred to as the “revised federal criteria”). Section 4005(c) of RCRA further mandates the EPA Administrator to determine the adequacy of state permit programs to ensure owner/operator compliance with the revised federal criteria. A state program that is deemed adequate to ensure compliance may afford flexibility to owners/operators in the approaches they use to meet federal requirements, significantly reducing the burden associated with compliance.

In response to the statutory requirement in §4005(c), EPA developed 40 CFR part 239, commonly referred to as the State Implementation Rule (SIR). The SIR describes the state application and EPA review procedures and defines the elements of an adequate state permit program.

The collection of information from the state during the permit program adequacy determination process allows EPA to evaluate whether a program for which approval is requested is appropriate in structure and authority to ensure owner/operator compliance with the 40 CFR part 257, subpart B and/or the 40 CFR part 258 criteria. The SIR does not require the use of a particular application form. However, §239.3 of the SIR requires that all state applications contain the following five components:

- (1) A transmittal letter requesting permit program approval;
- (2) A narrative description of the state permit program, including a demonstration that the state's non-municipal, non-hazardous waste disposal units that receive CESQG hazardous standards are technically comparable to the part 257, subpart B criteria and/or that its MSWLF standards are technically comparable to the part 258 criteria;
- (3) A legal certification demonstrating that the state has the authority to carry out the program;
- (4) Copies of relevant state laws, regulations, and guidance that the state believes demonstrate program adequacy; and
- (5) Copies of relevant state-tribal agreements if the state has negotiated with a tribe for the implementation of a permit program for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste and/or municipal solid waste landfills on Indian Lands.

A more detailed description of the data elements, respondent activities, and Record keeping requirements associated with each of the information collection requirements is presented in Section 3.

The attached supporting statement provides justification for the information collection requirements included in 40 CFR part 239. It examines the burden to states associated with preparing and submitting a program application that complies with SIR requirements. This ICR also estimates the cost that the federal government will incur in reviewing state program applications and determining the adequacy of state permit programs.

2. NEED FOR AND USE OF THE INFORMATION COLLECTION

2(a) Need and Authority for the Information Collection

Section 4010(c) of RCRA requires EPA to establish minimum criteria to ensure that non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste and MSWLFs are designed and managed in a manner that is protective of human health and the environment. 40 CFR part 257, subpart B establishes these minimum federal criteria for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste and 40 CFR part 258 establishes them for MSWLFs. The statute also requires states to adopt permit programs to ensure that owners

and operators of both types of waste disposal units comply with the relevant federal criteria.

The need for this collection of information from the states derives from Section 4005(c) of RCRA which requires the EPA Administrator to review state permit programs to determine if they are adequate to ensure compliance with the federal criteria. The SIR (40 CFR part 239) establishes the procedures EPA has developed to carry out this mandate. To make the required determination, EPA must collect information from states. That information is provided to the Agency in the context of an application for permit program approval.

States which do not submit the information necessary to make a determination of program adequacy will be deemed to have inadequate programs. Where the state program is deemed inadequate, owners and operators of both non-municipal, non-hazardous waste disposal units and MSWLFs must comply with the self-implementing provisions of the federal revised criteria in 40 CFR part 257, subpart B and 40 CFR part 258, and may not be able to take advantage of the flexibility that may be afforded to owners/operators by states with approved permit programs.

EPA has granted full approval to 49 states and territories for their MSWLF programs under 40 CFR 258. In addition, EPA has determined that 45 states have adequate provisions in place to require that CESQG waste is disposed in suitable facilities.

2(b) Practical Utility/Users of the Data

The EPA Administrator has delegated the authority to make determinations of adequacy, as contained in the statute, to the EPA Regional Administrators. Therefore, the appropriate EPA Regional Office uses the information provided by each state to determine whether the state's permit program satisfies the statutory test reflected in the requirements of 40 CFR part 239. In all cases, the information is analyzed to determine the adequacy of the state's permit program for ensuring compliance with the federal revised criteria.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Nonduplication

The information collection covered in this ICR is not available from sources other than the respondents. There is no other federal agency that

collects information on the adequacy of state non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste and/or of MSWLF permit programs. Therefore, this information collection does not represent a duplicative effort by any other source.

3(b) Public Notice

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice in the *Federal Register* on May 6, 2008 (73 FR 24979) and provided a 60 day comment period for this ICR. No comments were received.

3(c) Consultations

EPA made substantial efforts to consult with state officials during the development of the State Implementation Rule. During this time EPA met with the following people: Tom Kennedy and Kerry Callahan, Association of State and Territorial Solid Waste Management Officials (ASTSWMO); Richard Barlow, Connecticut; James Dunbar, Georgia; Thomas Epstein, Rhode Island; Bill Cass and Carol Ansheles, Northeast Waste Management Officials Association (NEWMOA); Hector Mendieta, Texas; Jim Warner, Minnesota; Neil Weber, New Mexico; Mark Witherspoon, Arkansas; and other state personnel. EPA, through ASTSWMO, provided copies of drafts for the State Implementation Rule, at various stages in its development, to provide all states and territories an opportunity for input on the procedures used to assess the adequacy of affected state permitting programs.

3(d) Effects of Less Frequent Collection

EPA has encouraged states to work with regional EPA staff, and to submit early drafts to ensure that their applications are complete, with sufficient detail to lessen the potential need for revision. It is anticipated that, due to the extensive interaction between states and the regional EPA staff in the development of both the permit programs and the applications for adequacy determinations, states will not be required to submit revised applications.

Additional review and revision of state programs may be needed when federal or state statutory or regulatory authorities are subsequently altered or when the state shifts permit program responsibility from one agency to another. The Regional Administrator will determine, on a case-by-case basis, whether subsequent statutory or regulatory changes warrant revision of the state program or modifications to a state's original program approval

application. Procedures for this process are detailed in 40 CFR part 239.12 and are designed to minimize state burdens.

3(e) General Guidelines

This ICR adheres to guidelines stated in the 1980 Paperwork Reduction Act, as amended in 1995, OMB's implementing regulations, OMB's Information Collection Review Handbook, and other applicable OMB guidance.

3(f) Confidentiality and Sensitive Questions

The information that states would submit is public information; therefore, no problems of confidentiality or sensitive questions arise.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents/SIC Codes

The universe of respondents involved in this information collection will be limited to states that seek approval of their permit programs or modifications to their previously approved permit programs for non-municipal, non-hazardous waste disposal units that receive CESQG waste and/or for MSWLFs. This information collection effort includes approved states that revise their criteria for MSWLFs to allow states to issue research, development, and demonstration (RD&D) permits for new and existing MSWLF units and lateral expansions. No entities with SIC codes will be affected by this information collection.

4(b) Information Requested

Develop Program Application

States requesting program approval must submit a program application as described in the SIR. Prior to the final submission, EPA encourages the states to submit draft applications for Agency comment and suggestions. The costs of draft application submission are incorporated into the costs of final application submission.

(i) Data Items, Including Record keeping Requirements

EPA is not prescribing Record keeping requirements for applicants associated with this rule. The primary data item for the adequacy determination process is the state program application. Data items include:

- Narrative description of the state program(s)
- Transmittal letter
- Legal certification
- Copies of relevant statutes, regulations, and guidance
- Copies of relevant state-tribal agreements

(ii) Respondent Activities

- Read the SIR and 40 CFR part 257, subpart B and/or 40 CFR part 258

- Prepare the narrative program description
- Write the transmittal letter
- Prepare the legal certification
- Compile relevant statutes, regulations, and guidance
- Compile relevant agreements between state and tribe(s)

Adequacy Determination Process

The state will submit a formal application containing all required elements, to the appropriate EPA Regional Office. After the formal application has been reviewed by the EPA Region, the Agency may request revisions or additional information from the state, particularly in response to comments received during the public comment period that the Agency is required to provide. The state will meet with the EPA Region to discuss such changes and may need to modify and resubmit the application.

(i) Data Items, including Record keeping Requirements

Under this rule, EPA is not prescribing Record keeping requirements for applicants. The primary data item for the adequacy determination process is the state program application.

(ii) Respondent Activities

- Submit an application for state program approval
- Modify the application, if necessary, to respond to comments from the EPA Region and/or the public
- Resubmit the application, if necessary

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

5(a) Agency Activities

Develop Program Application

As the states develop and complete their program applications, the appropriate EPA Regions will review them and provide written comments to

the state. As part of this process, a Region may conduct meetings with state representatives.

Adequacy Determination Process

After a Region determines that a state application is complete, the Region will review it and make a final adequacy determination. The Region will make every attempt to complete its review and make a final determination of adequacy within 180 days of receipt of a complete application; however, submission of an application for program approval does not ensure automatic approval should EPA fail to meet the 180 day time frame. During the review process, the Region will be responsible for the following activities:

- Review the application for completeness and request additional information if necessary;
- Review the completed application, draft and forward comments to, and meet with state as needed;
- After consultation with Regional staff, the Regional Administrator will make a tentative determination;
- Prepare and publish a Federal Register notice of tentative determination;
- Hold public hearing(s), if necessary;
- Respond to public comments if significant comments are received;
- After meetings between the Regional and state staff to resolve any remaining issues, the Regional Administrator will make a final determination; and
- Prepare and publish a Federal Register notice of final determination.

5(b) Collection Methodology and Management

EPA does not prescribe through regulation the manner in which the application is to be submitted: Respondents have flexibility regarding the manner in which they submit information (i.e., hardcopy or electronically word processed); however, database submission is not practicable. Regions

will be required to maintain a copy of the notice of proposed rulemaking for public review and a docket for the final rule. These records may be kept at a public library, where they will require minimal space and upkeep.

5(c) Small Entity Flexibility

The rule requires states to submit applications for permit program approval for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste and/or for municipal solid waste landfills. It does not impact the flexibility of small entities.

5(d) Collection Schedule

The 40 CFR part 258 criteria were promulgated on October 9, 1991 and were generally effective beginning on October 9, 1993. Criteria for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste (40 CFR part 257, subpart B) were promulgated on July 1, 1996. Location and record keeping criteria were effective on January 1, 1998 and groundwater monitoring and corrective action requirements became effective on July 1, 1998. Research, Development, and Demonstration Permits for MSWLFs (40 CFR part 285.4, subpart A) became effective on April 21, 2004. Requirements for States and Territories to submit applications for determination of adequacy of their Subtitle D solid waste programs and procedures for EPA determination of adequacy are contained in 40 CFR 239. EPA has determined that 30 states have existing permit programs for CESQG hazardous waste disposal that are adequate to meet the 40 CFR part 257, subpart B requirements.

States have been encouraged to apply for and gain program approval as quickly as possible, to allow the state and facility owners/operators to fully utilize the flexibility in the part 257, subpart B and part 258 criteria. Schedules submitted in lieu of an application were expected to outline how the state would make progress toward completing its application. States failing to submit an application within the scheduled time frame could be deemed "inadequate."

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

The following burden and cost estimates are based upon EPA's experience in processing state MSWLF permit program adequacy determinations. The estimates also reflect the Agency's burden and costs from reviewing similar activities of other regulatory programs, and from discussions with states.

Under 40 CFR part 257, subpart B, owners/operators of non-municipal, non-hazardous disposal units that receive CESQG hazardous waste must comply with location restrictions, ground-water monitoring, and corrective action standards. EPA has determined that 45 states have existing permit programs for CESQG hazardous waste disposal that are adequate to meet the 40 CFR part 257, subpart B requirements. Over the next three years, EPA expects up to 5 additional states/territories to seek permit program adequacy determinations for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste. The burden and cost estimates for the permit program adequacy determinations for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste will be higher than for the streamlined approval process used for the 45 states already approved, but less than for the MSWLF permit program adequacy determinations because the requirements for non-municipal, non-hazardous disposal units that receive CESQG hazardous waste are less cumbersome than those required for MSWLFs.

To date, EPA has fully or partially approved 54 state/territorial MSWLF permit programs. Over the next three years, EPA expects to receive permit program applications from the remaining 2 states/territories and expects up to 5 states/territories to modify previously approved programs. EPA expects 9 approved states over the next three years to seek RD&D approval for MSWLFs.

6(a) Estimating Respondent Burden

EPA estimates respondent burden hours associated with all of the requirements covered in this ICR in Exhibits 1-5. Separate scenarios were developed for MSWLF and non-municipal, non-hazardous waste permit program approval applications. Each is presented in a chart at the end of this statement which shows the estimated burden hours and costs for each collection activity.

- Exhibit 1 assumes that 5 states/territories will submit permit program approval applications for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste.
- Exhibit 2 assumes that 2 states/territories will submit an application for MSWLF permit program approval (Exhibit 2a) and that 5 states will modify their existing approved programs (Exhibit 2b).

6(b) Estimating Respondent Costs

The average hourly salary rates contained in the current ICR for this rule were from 2004. For this ICR renewal request EPA used rates from the 2008 GS salary table, Step 5 and applied an overhead factor of 1.6.

For states and territories, EPA estimates an average hourly salary rate of \$70.46 (GS 14) for legal staff, \$82.88 (GS 15) for managerial staff, \$50.14 (GS 12) for technical staff, and \$28.27 (GS 7) for clerical staff. These rates include the overhead factor of 1.6.

6(c) Estimating Agency Burden and Cost

In estimating Agency burden hours and costs associated with activities in this ICR, EPA examined ICRs that had already been approved by OMB. ICRs reviewed include those for the UST program, Subtitle C program, and the original ICR that is now being renewed.

Estimates of Agency burden hours and costs associated with all of the requirements of this ICR are provided in Exhibits 3 and 4. EPA Regional Offices will be involved in these activities.

- Exhibit 3 estimates EPA's burden and costs for responding to permit program approval applications for non-municipal, non-hazardous waste disposal units that receive CESQG hazardous waste.
- Exhibit 4 estimates EPA's burden and costs for responding to both new and modified MSWLF permit program applications.

Agency Burden Estimates

Agency burden figures are based on EPA's experience in undertaking and completing this activity to date. Since it is not possible to accurately estimate how many respondents will submit applications in a given year, the estimates show total estimated burden and costs during the three year period suggested for submission in the regulation. Average annual burden is obtained by dividing the total burden by three.

Agency Labor Costs

The average hourly salary rates contained in the current ICR for this rule were from 2004. For this ICR renewal request EPA used rates from the 2008 GS salary table, Step 5 and applied an overhead factor of 1.6.

EPA estimates an average hourly Regional labor cost of \$70.46 (GS 14) for legal staff, \$82.88 (GS 15) for managerial staff, \$50.14 (GS 12) for technical staff, and \$28.27 (GS 7) for clerical staff. These hourly rates include the standard government overhead factor of 1.6.

6(d) Bottom Line Burden Hours and Costs

Exhibit 5 shows the total burden and cost to respondents and the State and government for all information collection requirements covered in this ICR. EPA estimates that the total bottom line burden for this information collection activity is \$384,805 or \$128,268 per year.

6(e) Respondent Universe and Total Burden Costs

The total number of respondents is 12 and the total burden hours are 2,405 hours per year. Of the 2,045 hours, 1,437 is the burden for EPA Regions, and 968 hours is the burden for States. The total cost burden is \$128,268 per year. Of the \$128,268, \$76,723 is the cost to EPA Regions, and \$51,545 is the cost to States. All costs are labor costs, there are no capital/start-up or O&M costs associated with this ICR.

6(f) Reasons For Change in Burden

This ICR renews ICR 1608.04, approved by OMB through September 30, 2008. Burden hours for this ICR remain the same. For the prior ICR renewal all mention of burden estimates for tribes which were contained in the original ICR were removed. In addition, since the last clearance, additional states and territories have not been moving through the approval process for their MSWLF permit programs as we hoped they would. Therefore, the number of state and territorial remaining to obtain MSWLF permit program adequacy determinations has remained at 2. In addition, EPA estimates that as many as 5 states may choose to submit modifications to their approved programs.

Under the July 1, 1996 rulemaking for non-municipal, non-hazardous waste disposal units that may receive CESQG hazardous waste, 45 states/territories have received CESQG hazardous waste permit program adequacy determinations. EPA estimates that no more than 5 additional States will apply for an adequacy determination during the next 3 years.

6(g) Burden Statement

The public reporting and recordkeeping burden for this collection of information is estimated to average 242 hours per response. Burden means

the total time, effort, or financial resources expended by persons to generate, maintain, retain, or 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 Number EPA-HQ-RCRA-2008-0242, 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 Avenue, NW, Washington, D.C. The EPA Docket Center 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 the RCRA Docket is (202) 566-0270. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-RCRA-2008-0242 and OMB Control Number 2050-0152 in any correspondence.

EXHIBITS

EXHIBIT 1: 5 STATES/TERRITORIES APPLICATIONS FOR NON-MUNICIPAL, NON-HAZARDOUS WASTE DISPOSAL UNITS THAT RECEIVE CESQG HAZARDOUS WASTE PERMIT PROGRAMS

Collection Activities:

Burden Hours per Applicant:

	<u>Legal</u> \$70.46 per hour	<u>Manager</u> \$82.88 per hour	<u>Technica</u> l \$50.14 per hour	<u>Clerical</u> \$28.77 per hour	<u>Total</u> <u>Hours</u>
Read 40 CFR part 239 and 40 CFR part 257, subpart B	5	10	32.5	0	47.5
Prepare narrative program description	0	20	80	20	120
Write transmittal memorandum	0	0.5	1	0.5	2
Prepare legal certification	1.5	0.5	0	0.5	2.5
Compile copies of relevant statutes, regulations, and guidance	4	0	4	7.5	15.5
Modify application, as necessary	4	10	40	10	64
Total hours per Respondent	14.5	41	157.5	38.5	251.5
Total cost per Respondent	\$1,021.67	\$3,398.08	\$7,897.05	\$1,088.40	\$13,405.20

Total Burden: Hour Total (251.5) x No. of Respondents (5) = 1,258 Hours

Total Cost: Cost Total (\$12,288.76) x No. of Respondents (5) = \$67,026.00.

EXHIBIT 2: 7 STATE/TERRITORIES PREPARING APPLICATIONS FOR MSWLF PERMIT PROGRAMS

EXHIBIT 2a: 2 STATES/TERRITORIES PREPARING NEW APPLICATIONS

Collection Activities:

Burden Hours per Applicant:

	<u>Legal</u> \$70.46 per hour	<u>Manager</u> \$82.88 per hour	<u>Technical</u> \$50.14 per hour	<u>Clerical</u> \$28.27 per hour	<u>Total Hours</u>
Read 40 CFR part 239 and 40 CFR part 258	10	20	65	0	95
Prepare narrative program description	0	40	160	40	240
Write transmittal memorandum	0	1	2	1	4
Prepare legal certification	3	1	0	1	5
Compile copies of relevant statutes, regulations, and guidance	8	0	8	15	31
Modify application, as necessary	8	20	80	20	128
Total hours per Respondent	29	82	315	77	503
Total cost per Respondent	\$2,043.33	\$6,796.16	\$15,794.10	\$2,176.79	\$26,810.39

Total Burden: Hour Total (503) x No. of Respondents (2) = 1,006 Hours

Total Cost: Cost Total (\$26,810.39) x No. of Respondents (2) = \$53,620.78

EXHIBIT 2b: 5 STATES/TERRITORIES MODIFYING APPROVED PROGRAMS

Collection Activities:

Burden Hours per Applicant:

	Legal \$70.46 per hour	Manage r \$82.88 per hour	Technica l \$50.14 per hour	Clerical \$28.27 per hour	Total Hours
Modify program, as necessary	8	20	80	20	128
Total hours per Respondent	8	20	80	20	128
Total cost per Respondent	\$563.68	\$1,657.60	\$4,011.20	\$565.40	\$6,797.88

Total Burden: Hour Total (128) x No. of Respondents (5) = 640 Hours

Total Cost: Cost Total (\$6,797.88) x No. of Respondents (5) = \$33,898.40.

<p>EXHIBIT 2</p> <p>TOTAL BURDEN (2a+2b): 1,646 Hours</p> <p>TOTAL COST (2a+2b): \$87,610.18</p>

EXHIBIT 3: EPA REGIONS RESPONDING TO 5 APPLICATIONS FOR NON-MUNICIPAL, NON-HAZARDOUS WASTE DISPOSAL UNITS THAT RECEIVE CESQG HAZARDOUS WASTE PERMIT PROGRAMS

Collection Activities:

Burden Hours per Application:

	<u>Legal</u> <u>\$70.46</u> <u>per hour</u>	<u>Manager</u> <u>\$82.88</u> <u>per hour</u>	<u>Technical</u> <u>\$50.14</u> <u>per hour</u>	<u>Clerical</u> <u>\$28.27</u> <u>per hour</u>	<u>Total</u> <u>Hours</u>
Review and comment on draft application, including meetings with applicant	5	5	40	8	58
Process and distribute application	0	0	5	4	9
Review application for completeness, and request additional information	5	5	40	1	51
Review complete application	1	5	20	8	34
Regional Administrator makes tentative determination	2	5	5	0	12
Prepare and publish Federal Register notice	0	0.5	5	2.5	8
Hold public hearing	0	0	8	2.5	10.5
Respond to significant comments	2	2	20	2.5	26.5
Regional Administrator makes final determination	2	5	5	0	12
Prepare and publish Federal Register notice	2	0.5	8	2.5	13
Total hours per Application	19	28	156	31	234

Total cost per Application	\$1,338.74	\$2,320.64	\$7,821.84	\$802.90	\$12,357.59
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Total Burden: Hour (234) x No. of Respondents (5) = 1170 Hours

Total Cost: Cost (\$12,357.59) x No. of Respondents (5) = \$61,787.95.

EXHIBIT 4: EPA REGIONS RESPONDING TO 7 APPLICATIONS FOR MSWLF PERMIT PROGRAMS

EXHIBIT 4a: EPA REGIONS RESPONDING TO 2 “NEW” APPLICATIONS

Collection Activities:

Burden Hours per Application:

	Legal \$70.46 per hour	Manager \$82.88 per hour	Technical \$50.14 per hour	Clerical \$28.27 per hour	Total Hours
Review and comment on draft application, including meetings with applicant	10	10	80	16	116
Process and distribute application	0	0	10	8	18
Review application for completeness, and request additional information	10	10	80	2	102
Review complete application	2	10	40	16	68
Regional Administrator makes tentative determination	4	10	10	0	24
Prepare and publish Federal Register notice	0	1	10	5	16
Hold public hearing	0	0	16	5	21
Respond to significant comments	4	4	40	5	53

Regional Administrator makes final determination	4	10	10	0	24
Prepare and publish Federal Register notice	4	1	16	5	26
Total hours per Application	38	56	312	62	468
Total cost per Application	\$2,677.48	\$4,641.28	\$15,643.68	\$1,752.74	\$24,715.18

Total Burden: Hour (468) x No. of Respondents (2) = 936 Hours

Total Cost: Cost (\$24,715.18) x No. of Respondents (2) = \$49,430.36.

EXHIBIT 4b: EPA REGIONS RESPONDING TO 5 “MODIFIED” APPLICATIONS

Collection Activities:

Burden Hours per Application:

	Legal \$70.46 per hour	Manage r \$82.88 per hour	Technical \$50.14 per hour	Clerical \$28.27 per hour	Total Hours
Review complete application	2	10	40	16	68
Regional Administrator makes tentative determination	4	10	10	0	24
Prepare and publish Federal Register notice	0	1	10	5	16
Hold public hearing	0	0	16	5	21
Respond to significant comments	4	4	40	5	53
Regional Administrator makes final determination	4	10	10	0	24
Prepare and publish Federal Register notice	4	1	16	5	26
Total hours per Application	18	36	142	36	232
Total cost per Application	\$1,268.28	\$2,983.68	\$7,119.88	\$1,017.72	\$12,389.56

Total Burden: Hour (232) x No. of Respondents (5) = 1,160 Hours

Total Cost: Cost (\$12,389.56) x No. of Respondents (5) = \$61,947.80.

EXHIBIT 4c: EPA REGIONS RESPONDING TO 9 "RD&D" APPLICATIONS

Collection Activities:

Burden Hours per Application:

	Legal \$70.46 per hour	Manager \$82.88 per hour	Technical \$50.14 per hour	Clerical \$28.27 per hour	Total Hours
Review complete application	1	5	20	2	28
Regional Administrator makes tentative determination	2	5	5	0	12
Prepare and publish Federal Register notice	0	1	4	3	8
Hold public hearing	0	0	8	5	13
Respond to significant comments	4	4	20	5	33
Regional Administrator makes final determination	2	5	5	0	12
Prepare and publish Federal Register notice	2	1	4	3	10
Total hours per Application	11	21	66	18	116
Total cost per Application	\$775.06	\$1,740.48	\$3,309.24	\$508.86	\$6,333.64

Total Burden: Hour (116) x No. of Respondents (9) = 1,044 Hours

Total Cost: Cost (\$6,333.64) x No. of Respondents (9) = \$57,002.76

EXHIBIT 4	
TOTAL BURDEN (4a+4b+4c):	3,140
Hours	
TOTAL COST (4a+4b+4c):	\$168,380.92

EXHIBIT 5: TOTAL BURDEN

EXHIBIT 5a: TOTAL HOUR BURDEN:

	Regions	States/Territories	Total
Preparing Non-Municipal, Non-Hazardous Waste Disposal Units that Receive CESQG Hazardous Waste Permit Program Applications	1,170	1,258	2,428
Preparing MSWLF Permit Program Applications	3,140	1,646	4,786
Total Burden	4,310	2,904	7,214

States/Territories Total Hour Burden: 2,904 hours over 3 years, or 968 hours per year

EPA Regions Total Hour Burden: 4,310 hours over 3 years, or 1,437 hours per year

GRAND TOTAL HOUR BURDEN: 7,214 hours over 3 years, or 2,405 hours per year

EXHIBIT 5b: TOTAL COST BURDEN (Dollars):

	Regions	States/Territories	Total
Preparing Non-Municipal, Non-Hazardous Waste Disposal Units that Receive CESQG Hazardous Waste Permit Program Applications	\$61,788	\$67,026	\$128,814
Preparing MSWLF Permit Program Applications	\$168,381	\$87,610	\$255,991
Total Burden	\$230,169	\$154,636	\$384,805

States/Territories Total Cost Burden (Dollars): \$154,636 over 3 years or \$51,545 per year

EPA Regions Total Cost Burden (Dollars): \$230,169 over 3 years or \$76,723 per year

GRAND TOTAL COST BURDEN (Dollars): \$384,805 over 3 years or \$128,268 per year