

**“RCRA Hazardous Waste Permit Application and Modification, Part A”
EPA ICR Number 262.12, OMB Control Number 2050-0034**

Justification for No Material/Non-Substantive Change

September 15, 2009

The Resource Conservation and Recovery Act (RCRA), as amended, requires anyone who owns or operates a facility where hazardous waste is treated, stored, or disposed to have a RCRA hazardous waste permit issued by the U.S. Environmental Protection Agency (EPA). There are two parts to a RCRA hazardous waste permit application—Part A and Part B. Part A of the RCRA hazardous waste permit application consists of EPA Form 8700-23, along with maps, drawings, and photographs, as required by 40 CFR 270.13. Part B of the RCRA hazardous waste permit application contains detailed, site-specific information. There is no form for the Part B Permit Application; rather, the Part B Permit Application must be submitted in narrative form and contain the information described in applicable sections of 40 CFR 270.14 through 270.27.

The Part A permit application form (i.e., EPA Form 8700-23) consists of two components: (1) the RCRA Subtitle C Site Identification Form (i.e., the Site ID Form) and (2) the Hazardous Waste Permit Information Form. The burden associated with these information collection requirements is covered in “RCRA Hazardous Waste Permit Application and Modification, Part A,” EPA Information Collection Request (ICR) Number 262.12.

The Site ID Form is a multi-purpose form used to collect RCRA site identification information for the Notification of Regulated Waste Activity, the RCRA Hazardous Waste Part A Permit Application, and the Hazardous Waste Report. EPA recently modified the existing Site ID Form, as well as the form instructions, as follows:

1. Incorporated two additional notification requirements contained in recently promulgated rules:
 - Notification of hazardous secondary material activity under 40 CFR 260.42. This requirement is currently addressed in “Revisions to the RCRA Definition of Solid Waste,” EPA ICR Number 2310.01. EPA is currently in the process of incorporating this requirement into “Notification of Regulated Waste Activity and 2009 Hazardous Waste Report,” EPA ICR Number 0976.14.
 - Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR Part 262, Subpart K. These requirements are currently addressed in “Generator Standards Applicable to Laboratories Owned by Eligible Academic Entities,” EPA ICR Number 2317.01. EPA is currently in the process of incorporating these requirements into “Notification of Regulated Waste Activity and 2009 Hazardous Waste Report,” EPA ICR Number 0976.14.

2. Included the following data elements in the Site ID Form:

- Site location country;
- Site contact person's title;
- Site contact person's business address;
- Short-term generation indicator (i.e., check "Y" or "N," as applicable); and
- Transfer facility indicator (i.e., to be checked only if applicable).

Burden associated with the above data elements is estimated to be minimal.

3. Clarified areas of potential confusion to respondents in order to improve usability of the form and thus facilitate compliance with the applicable information collection requirements.

EPA believes that, when submitted as part of a Part A permit application, revisions made to the Site ID Form do not constitute a material change and fall within the scope of the currently approved ICR for the following reasons:

- The notification requirements under Revision 1 are not related to the RCRA permit application process. The notification requirements at section 260.42 apply to sites operating under hazardous materials exclusions. The notification requirements in Part 262 Subpart K apply to sites operating under special generator procedures for laboratory wastes. Hence, these notification procedures are outside the scope of the Part A permit application process and Part A ICR. They are addressed in others ICRs as indicated above.
- The data elements under Revision 2 would impose negligible burden because, in most cases, they can be addressed through respondents' immediate knowledge (e.g., contact information). In addition, some of the elements include check boxes to simplify responses.
- EPA believes that the clarifications under Revision 3 will improve usability of the form and thus facilitate compliance and reduce burden.

For the reasons stated above, EPA believes that revisions made to the Site ID Form, when submitted as part of a Part A permit application, do not constitute a material change. EPA also believes that the new Site ID Form serves to improve and simplify information collection, consistent with provisions of the Paperwork Reduction Act of 1995 (PRA), Office of Management and Budget's (OMB's) implementing regulations, and applicable OMB guidelines.