

**SUPPORTING STATEMENT FOR  
EPA INFORMATION COLLECTION REQUEST NUMBER 2127.03  
“CONDITIONAL EXCLUSIONS FROM  
SOLID WASTE AND HAZARDOUS WASTE FOR  
SOLVENT-CONTAMINATED WIPES (FINAL RULE)”**

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Office of Resource Conservation and Recovery  
United States Environmental Protection Agency  
Washington, D.C. 20460

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## **1. IDENTIFICATION OF THE INFORMATION COLLECTION**

### **1(a) TITLE AND NUMBER OF THE INFORMATION COLLECTION**

This Information Collection Request (ICR) is entitled “Conditional Exclusions from Solid Waste and Hazardous Waste for Solvent-Contaminated Wipes (Final Rule),” EPA ICR Number 2127.03.

### **1(b) CHARACTERIZATION OF THE INFORMATION COLLECTION**

The U.S. Environmental Protection Agency (EPA) is modifying its hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA), as amended, to:

- Conditionally exclude from the definition of solid waste wipes that are contaminated with hazardous solvents and are sent to an industrial laundry or to a dry cleaner for cleaning and reuse (hereinafter referred to as “solvent-contaminated reusable wipes”); and
- Conditionally exclude from the definition of hazardous waste wipes that are contaminated with hazardous solvents and are sent for disposal to a landfill or combustor (hereinafter referred to as “solvent-contaminated disposable wipes”).

The conditional exclusions apply to wipes that, after use or after cleaning up a spill, either: (1) contain one or more of the F001 through F005 solvents listed in 40 CFR 261.31 or the corresponding P- or U-listed solvents found in 40 CFR 261.33; (2) exhibit a hazardous characteristic found in 40 CFR part 261, subpart C when that characteristic results from a solvent listed in 40 CFR part 261; and/or (3) exhibit only the hazardous waste characteristic of ignitability found in 40 CFR 261.21 when containing one or more solvents that are not listed in 40 CFR part 261.

The exclusions are only applicable to the contaminated wipes themselves. Free liquid solvent would still be considered solid waste and subject to hazardous waste regulation under RCRA Subtitle C upon removal from the solvent-contaminated wipe or from the container holding the wipes. In addition, the exclusions are not applicable to wipes that exhibit a hazardous characteristic due to non-solvent contaminants (such as metals) or that contain non-solvent listed hazardous waste. Furthermore, wipes that are hazardous waste for trichloroethylene are not eligible for the exclusion from hazardous waste for solvent-contaminated disposable wipes and remain subject to all applicable hazardous waste regulations.

This ICR describes the new information collection requirements imposed by the final rule. Sections 1 through 5 of this document describe the information collection requirements covered in this ICR (e.g., in regard to need and use of the information collected). Section 6 estimates the annual hour and cost burden to respondents and the Agency under these requirements. In addition, EPA estimates in Section 6(d) the total annual hour and cost savings to respondents for no longer complying with existing information collection requirements in managing their excluded solvent-contaminated wipes under the final rule.

## **2. NEED FOR AND USE OF THE COLLECTION**

### **2(a) NEED AND AUTHORITY FOR THE COLLECTION**

Under the final rule, EPA is conditionally excluding solvent-contaminated reusable and disposable wipes from hazardous waste regulation under the authority of Sections 2002, 3001 through 3010, and 7004 of RCRA. The purpose of this final rule is to provide a consistent regulatory framework that is appropriate to the level of risk posed by solvent-contaminated wipes in a way that maintains protection of human health and the environment, while reducing overall compliance costs for industry, many of which are small businesses.

The recordkeeping requirements under the final rule are needed to enable compliance monitoring of the conditions of the rule. Additionally, these requirements help to ensure protection of human health and the environment from the risks associated with the solvent-contaminated wipes.

### **2(b) PRACTICAL UTILITY AND USERS OF THE DATA**

Under the final rule, solvent-contaminated wipes must be accumulated, stored, managed, and transported in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.” This labeling requirement is necessary to alert facility employees, emergency response personnel, motor carrier inspectors, downstream transporters and handlers, and State and EPA enforcement staff of the contents of the containers. This ensures that containers can be properly stored, handled, and inspected. Requiring a specific label establishes a national standard that can be easily recognized among different facilities, industries, and State programs. The labeling requirement also helps to ensure that hazardous secondary materials will be properly contained and not released to the environment.

Under the final rule, generators must maintain at their site documentation that they are managing their excluded solvent-contaminated wipes under the applicable conditional exclusion. This documentation must include: (1) the name and address of the laundry/dry-cleaner, landfill, or combustor receiving the solvent-contaminated wipes; (2) documentation that the 180-day accumulation time limit is being met; and (3) a description of the process the generator is using to meet the “no free liquids” condition. The new recordkeeping requirements are necessary to assist with monitoring compliance with the conditional exclusions.

The purpose of documenting the name and address of the laundry/dry-cleaner, landfill, or combustor is to ensure that the solvent-contaminated wipes are sent for cleaning or disposal in compliance with the conditional exclusion. Additionally, this information allows the State and EPA to follow-up and ensure that any discharge from the laundry/dry cleaner is regulated under Sections 301 and 402 or Section 307(b) of the Clean Water Act, the landfill is regulated under 40 CFR part 258, including the design criteria under section 258.40, or the combustor is regulated under Section 129 of the Clean Air Act. (The landfill or combustor also may be regulated under the hazardous waste regulations in 40 CFR parts 264 or 265.)

Documenting the 180-day accumulation time limit enables regulatory authorities to ensure the solvent-contaminated wipes are being sent for cleaning or disposal in compliance with the exclusions, and are not being stored indefinitely at the generating facility.

The purpose of documenting the process the generator is using to meet the “no free liquids” condition is to demonstrate that the generator is implementing a process that ensures that it will not illegally transport free liquid spent solvent off-site. State and EPA regulators may use this documentation to assess whether the generator is adequately meeting the “no free liquids” condition.

### **3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

#### **3(a) NONDUPLICATION**

The new labeling and recordkeeping requirements under the final rule are not duplicative with any information required by the existing Federal RCRA regulations.

#### **3(b) PUBLIC NOTICE**

On November 20, 2003, EPA published a proposed rule to exclude solvent-contaminated reusable wipes from the definition of solid waste and exclude solvent-contaminated disposable wipes from the definition of hazardous waste, provided certain conditions were met (68 FR 65586). To assist the public in commenting on the proposal, EPA raised a number of issues in the preamble to the proposed rule and asked for the public to comment on them. EPA also held a public meeting on March 9, 2004 (69 FR 8353). EPA received several hundred comments on the proposed rule. Commenters included generating facilities, reusable wipe suppliers and industrial laundries, disposable wipe manufacturers, environmental organizations, State agencies, and individual citizens. On October 27, 2009, EPA also published a Notice of Data Availability (NODA) requesting public comment on the revised risk analysis as well as other policy options for the rulemaking (74 FR 55163). EPA reviewed the public comments received on both the November 2003 proposal and the October 2009 NODA and addressed comments in finalizing the rule and supporting documents, as appropriate.

#### **3(c) CONSULTATIONS**

EPA held discussions with key stakeholders and industry contacts in developing the proposed rule. EPA also sponsored a meeting with the explicit purpose of gathering information about cleaning industrial wipes: Industrial Laundries Public Meeting (March 4, 1997). In addition, because many of the entities potentially affected by the proposed rule were small businesses, EPA conducted outreach activities to ensure that small business interests were informed of the Agency’s potential actions and to solicit input and comment from small business interests. As part of these outreach efforts, the Agency held a meeting with members of the small business community on August 10, 1998.

EPA supplemented data obtained through stakeholder interaction with data obtained from site visits and laboratory experiments. Agency personnel visited 17 generator sites and collected samples of solvent-contaminated wipes from nine facilities. Sites from the following industry sectors were visited: printing, auto body repair, aerospace manufacturing and maintenance, circuit board manufacturing, ship maintenance, and coating and adhesive testing and production. Refer to the EPA report “Use and Management Practices of Solvent-Contaminated Shop Towels and Wipes - Interim Report” (December 27, 1997) for a more detailed discussion on the site visits.

Finally, EPA published a proposed rule to conditionally exclude solvent-contaminated reusable wipes from the definition of solid waste and conditionally exclude solvent-contaminated disposable wipes from the definition of hazardous waste (68 FR 65586; November 20, 2003). To assist the public in commenting on the proposal, EPA raised a number of issues in the preamble to the proposed rule and asked for the public to comment on them. At the end of the comment period, EPA reviewed the public comments received and addressed comments in finalizing the rule and supporting documents, as appropriate.

### **3(d) EFFECTS OF LESS FREQUENT COLLECTION**

EPA has carefully considered the information collection burden imposed by the final rule. EPA is confident that those activities required of respondents are necessary, and to the extent possible, the Agency has attempted to minimize the burden imposed. EPA believes that, if the minimum information collection requirements of the final rule are not met, EPA will not be able to ensure that excluded solvent-contaminated wipes are properly managed.

### **3(e) GENERAL GUIDELINES**

This ICR adheres to the guidelines stated in the Paperwork Reduction Act of 1995, Office of Management and Budget’s (OMB’s) implementing regulations, applicable OMB guidance, and EPA’s ICR Handbook.

### **3(f) CONFIDENTIALITY**

Section 3007(b) of RCRA and 40 CFR part 2, subpart B, which defines EPA’s general policy on public disclosure of information, contain provisions for confidentiality. However, EPA does not anticipate that businesses will assert a claim of confidentiality covering all or part of the information collection requirements of the final rule. If such a claim were asserted, EPA must and will treat the information in accordance with the regulations cited above. EPA also will ensure that this information collection complies with the Privacy Act of 1974 and OMB Circular 108.

### **3(g) SENSITIVE QUESTIONS**

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

#### 4. THE RESPONDENTS AND THE INFORMATION REQUESTED

##### 4(a) RESPONDENTS AND NAICS CODES

The following is a list of the North American Industry Classification System (NAICS) codes associated with industries most likely affected by the information collection requirements covered in this ICR. A description of each of these NAICS codes is provided in Appendix A.

<b>Economic Sub-Sector (3-Digit NAICS Code)</b>	<b>Industries that Generate Solvent-Contaminated Wipes (5- or 6-Digit NAICS Code) <sup>a</sup></b>
Printing	323110, 323111, 323112, 323113, 323114, 323115, 323116, 323117, 323118, 323119, 323121, 323122
Publishing (printed matter)	51111, 51112, 51113, 51114, 51119
Business services (copy shops)	561439
Chemical and Allied Products	211112, 32511, 32512, 325131, 325132, 325181, 325182, 325188, 325191, 325192, 325193, 325199, 325998, 331311
Plastics and Rubber	31332, 315299, 315999, 325991, 326113, 326121, 32613, 32614, 32615, 32616, 326199, 326191, 326192, 326211, 32622, 326291, 326299, 337215, 339113, 339932, 339991
Fabricated Metal Products	332812, 332813, 339911, 339912, 339914
Industrial Machinery and Equipment	314999, 332323, 33241, 332991, 333111, 33312, 33322, 333295, 333298, 333319, 333414, 333511, 333512, 333513, 333514, 333515, 333518, 333911, 333923, 333999, 33651
Furniture and Fixtures	337110, 337121, 337122, 337124, 337127, 337211, 337212, 337215
Auto Dealers (retail trade)	44111, 44112
Military Bases	92812
Electronics and Computers	334411, 334412, 334413
Transportation Equipment	332912, 336111, 336112, 336211, 33633, 33634, 336399, 336312, 336411, 336412, 336414, 336415, 336419, 336612, 336992, 48839, 54171, 81149
Auto Repair and Maintenance	811111, 811112

<sup>a</sup> A description of each of the NAICS codes is provided in Appendix A.

##### 4(b) INFORMATION REQUESTED

In the following paragraphs, EPA describes the new information collection requirements under the final rule.

**(1) Solvent-Contaminated Reusable Wipes****(a) Labeling Containers**

Under 40 CFR 261.4(a)(26)(i), reusable wipes, when accumulated, stored, managed, and transported, must be contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.”

**(i) Data Item:**

- Label with the words “Excluded Solvent-Contaminated Wipes.”

**(ii) Respondent Activity:**

- Affix label with the words “Excluded Solvent-Contaminated Wipes” to each container of reusable wipes.

**(b) Recordkeeping Requirements**

Under 40 CFR 261.4(a)(26)(iv), generators of reusable wipes must maintain at their site specified documentation that they are managing excluded solvent-contaminated wipes according to 40 CFR 261.4(a)(26).

**(i) Data Items:**

- Name and address of the laundry or dry cleaner that is receiving the solvent-contaminated wipes;
- Documentation that the 180-day accumulation time limit in 40 CFR 261.4(a)(26)(ii) is being met; and
- Description of the process the generator is using to ensure the solvent-contaminated wipes contain no free liquids at the point of being laundered or dry-cleaned on-site or at the point of being transported off-site for laundering or dry-cleaning.

**(ii) Respondent Activities:**

- Maintain at the site specified documentation that excluded solvent-contaminated wipes are being managed according to 40 CFR 261.4(a)(26).



## (2) Solvent-Contaminated Disposable Wipes

### (a) Labeling Containers

Under 40 CFR 261.4(b)(18)(i), disposable wipes, when accumulated, stored, managed, and transported, must be contained in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes.”

#### (i) Data Item:

- Label with the words “Excluded Solvent-Contaminated Wipes.”

#### (ii) Respondent Activity:

- Affix label with the words “Excluded Solvent-Contaminated Wipes” to each container of disposable wipes.

### (b) Recordkeeping Requirements

Under 40 CFR 261.4(b)(18)(iv), generators of disposable wipes must maintain at their site specified documentation that they are managing excluded solvent-contaminated wipes according to 40 CFR 261.4(b)(18).

#### (i) Data Items:

- Name and address of the landfill or combustor that is receiving the solvent-contaminated wipes;
- Documentation that the 180 day accumulation time limit in 40 CFR 261.4(b)(18)(ii) is being met; and
- Description of the process the generator is using to ensure solvent-contaminated wipes contain no free liquids at the point of being transported for disposal.

#### (ii) Respondent Activities:

- Maintain at the site specified documentation that excluded solvent-contaminated wipes are being managed according to 40 CFR 261.4(b)(18).

## **5. THE INFORMATION COLLECTED: AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

### **5(a) AGENCY ACTIVITIES**

There are no Agency activities associated with the new information collection requirements covered in this ICR.

### **5(b) COLLECTION METHODOLOGY AND MANAGEMENT**

EPA will not collect any information from generators or handlers of solvent-contaminated wipes under the final rule.

### **5(c) SMALL ENTITY FLEXIBILITY**

The final rule will provide regulatory relief from parts of the Federal RCRA hazardous waste regulations for both large and small generators and subsequent handlers by establishing a set of conditions to address potential risks associated with the management of solvent-contaminated wipes. Thus, small facilities, among others, would see relief.

In addition, due to the fact that the universe of generators affected by the provisions in the final rule is comprised predominately of small businesses, EPA has set, as a primary goal of the final rule, that the management standards be easy to understand and practical to implement. EPA believes that the provisions of the final rule will: (1) encourage compliance; (2) enhance consistency between State programs; (3) clearly define when the solvent-contaminated wipes exit the RCRA Subtitle C management system; and (4) reduce compliance costs.

Finally, the conditional exclusions under the final rule are voluntary. Large and small generators eligible for the exclusions have the option of managing their solvent-contaminated wipes under the existing Federal program (i.e., RCRA Subtitle C) or under one of the conditional exclusions.

### **5(d) COLLECTION SCHEDULE**

The final rule does not include any schedule for facilities to submit information or for the Agency to collect information.

## **6. ESTIMATING THE HOUR AND COST BURDEN OF THE COLLECTION**

### **6(a) ESTIMATING RESPONDENT BURDEN HOURS**

Exhibit 1 provides estimates of the respondent hourly burden associated with the information collection requirements covered in this ICR. The exhibit includes burden hours (total and by labor type) per respondent, as well as the overall burden hours for all respondents.

### **6(b) ESTIMATING RESPONDENT COSTS**

Exhibit 1 provides estimates of the annual respondent costs associated with the information collection requirements covered in this ICR. These costs are based on the cost of labor, capital, and operation and maintenance (O&M).

#### **(1) Labor Costs**

EPA estimates an average hourly respondent labor cost of \$87.34 for legal staff, \$41.13 for managerial staff, \$25.59 for technical staff, \$20.61 for clerical staff, and \$17.59 for janitorial staff. These hourly labor costs were obtained from the regulatory impact analysis (RIA) developed for this rulemaking.<sup>1</sup>

Using the total burden hours discussed in Section 6(a) and the hourly labor costs outlined in this section, Exhibit 1 illustrates the labor costs associated with the information collection requirements covered in this ICR.

#### **(2) Capital Costs**

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. EPA does not anticipate that respondents will incur capital costs in carrying out the information collection requirements covered in this ICR.

#### **(3) Operation and Maintenance Costs**

Operation and Maintenance (O&M) costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the Paperwork Reduction Act of 1995 as “the recurring dollar amount of costs associated with O&M or purchasing services.” For this ICR, O&M costs include pre-printed labels (\$0.84 per label).<sup>2</sup> These O&M costs are shown in Exhibit 1 for all applicable respondent activities.

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<sup>1</sup> U.S. Environmental Protection Agency. *Regulatory Impact Analysis for Conditional Exclusions from Solid Waste and Hazardous Waste for Solvent-Contaminated Wipes, Final Rule*. February 2, 2012. p. 53.

<sup>2</sup> The pre-printed label cost in this ICR was obtained from the RIA developed for this rulemaking: U.S. Environmental Protection Agency. *Regulatory Impact Analysis for Conditional Exclusions from Solid Waste and Hazardous Waste for Solvent-Contaminated Wipes, Final Rule*. February 2, 2012. p. 58.

### 6(c) ESTIMATING AGENCY HOUR AND COST BURDEN

There are no Agency activities associated with the information collection requirements covered in this ICR.

### 6(d) ESTIMATING RESPONDENT UNIVERSE AND TOTAL HOUR AND COST BURDEN

In this section, EPA first describes the respondent universe affected by the information collection requirements of the final rule. EPA then estimates the *annual incremental burden* to respondents under the final rule and the *annual burden savings* to respondents for no longer managing their excluded solvent-contaminated wipes under existing information collection requirements.

#### (1) Respondent Universe

Table 1 presents the annual number of respondents subject to the new information collection requirements under the final rule.<sup>3</sup> It shows that EPA expects 62,423 generators to generate solvent-contaminated reusable wipes each year. It also shows that EPA expects 5,428 generators to generate solvent-contaminated disposable wipes each year.

**Table 1**  
**Annual Number of Respondents Subject to the**  
**New Information Collection Requirements under the Final Rule <sup>a</sup>**

Type of Facility	Use Primarily Reusable Wipes			Use Primarily Disposable Wipes			Total		
	Private Sector	State and Local Government	Subtotal	Private Sector	State and Local Government	Subtotal	Private Sector	State and Local Government	Total
LQGs	397	0	397	35	0	35	432	0	432
SQGs	61,942	84	62,026	5,386	7	5,393	67,328	91	67,419
<b>Total</b>	<b>62,339</b>	<b>84</b>	<b>62,423</b>	<b>5,421</b>	<b>7</b>	<b>5,428</b>	<b>67,760</b>	<b>91</b>	<b>67,851</b>

<sup>a</sup> Federal government facilities are not reflected in the table because they are exempt from ICR requirements. This includes 55 facilities that use primarily reusable wipes and 5 facilities that use primarily disposable wipes.

LQGs Large quantity generators

SQGs Small quantity generators

The following paragraphs discuss these universe estimates in relation to the final rule and existing Federal RCRA information collection requirements.

<sup>3</sup> The universe estimates in this ICR were obtained from the RIA developed for this rulemaking: U.S. Environmental Protection Agency. *Regulatory Impact Analysis for Conditional Exclusions from Solid Waste and Hazardous Waste for Solvent-Contaminated Wipes, Final Rule*. February 2, 2012. p. 43.

**(2) Annual Respondent Hour and Cost Burden under the Final Rule  
(Exhibits 1A and 1B)**

**(a) Solvent-Contaminated Reusable Wipes**

**(a1) Reading the Regulations**

EPA estimates that 397 large quantity generators (LQGs) and 62,026 small quantity generators (SQGs) will generate reusable wipes each year and thus, will be subject to the information collection requirements under the final rule. EPA assumes that, on average, three people at a LQG facility and one person at an SQG facility will read the final rule. As a result, EPA estimates that 63,217 respondents will read the final rule (i.e., (397 LQGs x 3 people per LQG) + (62,026 SQGs x 1 person per SQG)).

EPA assumes that these respondents will read the regulations once during the three-year life of the ICR.<sup>4</sup> In estimating the *annual* respondent hour and cost burden over the three-year period covered by this ICR, EPA annualized the hour and cost burden of this one-time activity by dividing the number of respondents by three. Thus, EPA estimates that 21,072 respondents (i.e., 63,217 respondents / 3 years) on average will read the regulations each year (i.e., 21,044 respondents from the private sector and 28 respondents from State and local government).

**(a2) Labeling Containers**

EPA estimates that, on average, each of the 397 LQG facilities that generate reusable wipes will use 180 plastic bags per year. This translates into 71,460 plastic bags per year.

EPA also estimates that, on average, each of the 62,026 SQG facilities that generate reusable wipes will use 31 plastic bags per year. This translates into 1,922,806 plastic bags per year.

Based on the above, EPA estimates that, each year, generators of reusable wipes will use a total of 1,994,266 plastic bags (i.e., 1,991,662 plastic bags from the private sector + 2,604 plastic bags from State and local government). EPA assumes that respondents will affix one label to each plastic bag. EPA also assumes that each plastic bag will be used only once.

**(a3) Recordkeeping Requirements**

EPA estimates that, each year, 62,423 generators of reusable wipes will comply with the recordkeeping requirements of the final rule (i.e., 62,339 generators from the private sector and 84 generators from State and local government).

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<sup>4</sup> Note that this ICR estimates the respondent hour and cost burden associated with reading the final rule or a summary of the rule (e.g., trade journal newsletter article), not the preamble to the rule.

## **(b) Solvent-Contaminated Disposable Wipes**

### **(b1) Reading the Regulations**

EPA estimates that 35 LQGs and 5,393 SQGs will generate disposable wipes each year and thus, will be subject to the information collection requirements under the final rule. EPA assumes that, on average, three people at a LQG facility and one person at an SQG facility will read the final rule. As a result, EPA estimates that 5,498 respondents will read the final rule (i.e., (35 LQGs x 3 people per LQG) + (5,393 SQGs x 1 person per SQG)).

EPA assumes that these respondents will read the regulations once during the three-year life of the ICR.<sup>5</sup> In estimating the *annual* respondent hour and cost burden over the three-year period covered by this ICR, EPA annualized the hour and cost burden of this one-time activity by dividing the number of respondents by three. Thus, EPA estimates that 1,832 respondents (i.e., 5,498 respondents / 3 years) on average will read the regulations each year (i.e., 1,830 respondents from the private sector and 2 respondents from State and local government).

### **(b2) Labeling Containers**

EPA estimates that, on average, each of the 35 LQG facilities that generate disposable wipes will use 167 plastic bags per year. This translates into 5,845 plastic bags per year.

EPA also estimates that, on average, each of the 5,393 SQG facilities that generate disposable wipes will use 22 plastic bags per year. This translates into 118,646 plastic bags per year.

Based on the above, EPA estimates that, each year, generators of disposable wipes will use a total of 124,491 plastic bags (i.e., 124,337 plastic bags from the private sector + 154 plastic bags from State and local government). EPA assumes that respondents will affix one label to each plastic bag. EPA also assumes that each plastic bag will be used only once.

### **(b3) Recordkeeping Requirements**

EPA estimates that, each year, 5,428 generators of disposable wipes will comply with the recordkeeping requirements of the final rule (i.e., 5,421 generators from the private sector and 7 generators from State and local government).

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<sup>5</sup> Note that this ICR estimates the respondent hour and cost burden associated with reading the final rule or a summary of the rule (e.g., trade journal newsletter article), not the preamble to the rule.

## EXHIBIT 1A

CONDITIONAL EXCLUSIONS FROM SOLID WASTE AND HAZARDOUS WASTE FOR SOLVENT-CONTAMINATED WIPES (FINAL RULE)  
 ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN - PRIVATE SECTOR FACILITIES <sup>a</sup>

	Hours and Costs Per Respondent Per Activity									Total Hours and Costs		
	Leg. \$87.34/ Year	Mgr. \$41.13/ Year	Tech. \$25.59/ Year	Cler. \$20.61/ Year	Jan. \$17.59/ Year	Respon. Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O & M Cost	Number Respon./ Activ.	Total Hours/ Year	Total Cost/ Year
<b>INFORMATION COLLECTION ACTIVITY</b>												
<b>Solvent-Contaminated Reusable Wipes</b>												
<b>Reading the Regulations</b>												
Read the regulations	0.08	0.09	0.08	0.00	0.00	0.25	\$12.74	\$0.00	\$0.00	21,044	5,261.08	\$268,104.81
<b>Labeling Containers</b>												
Affix label with the words "Excluded Solvent-Contaminated Wipes" to each container of reusable w ipes	0.00	0.00	0.00	0.00	0.02	0.02	\$0.35	\$0.00	\$0.84	1,991,662	39,833.24	\$2,370,077.78
<b>Recordkeeping Requirements</b>												
Maintain at the site specified documentation that excluded solvent-contaminated w ipes are being managed according to 40 CFR 261.4(a)(26)	0.00	0.13	0.12	0.00	0.00	0.25	\$8.42	\$0.00	\$0.00	62,339	15,584.75	\$524,894.38
<b>Solvent-Contaminated Disposable Wipes</b>												
<b>Reading the Regulations</b>												
Read the regulations	0.08	0.09	0.08	0.00	0.00	0.25	\$12.74	\$0.00	\$0.00	1,830	457.58	\$23,318.45
<b>Labeling Containers</b>												
Affix label with the words "Excluded Solvent-Contaminated Wipes" to each container of disposable w ipes	0.00	0.00	0.00	0.00	0.02	0.02	\$0.35	\$0.00	\$0.84	124,337	2,486.74	\$147,961.03
<b>Recordkeeping Requirements</b>												
Maintain at the site specified documentation that excluded solvent-contaminated w ipes are being managed according to 40 CFR 261.4(b)(18)	0.00	0.13	0.12	0.00	0.00	0.25	\$8.42	\$0.00	\$0.00	5,421	1,355.25	\$45,644.82
<b>TOTAL</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>64,978.64</b>	<b>\$3,380,001.27</b>

<sup>a</sup> Exhibit includes rounding.

EXHIBIT 1B

CONDITIONAL EXCLUSIONS FROM SOLID WASTE AND HAZARDOUS WASTE FOR SOLVENT-CONTAMINATED WIPES (FINAL RULE)  
 ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN - STATE AND LOCAL GOVERNMENT FACILITIES <sup>a</sup>

	Hours and Costs Per Respondent Per Activity									Total Hours and Costs		
	Leg. \$87.34/ Year	Mgr. \$41.13/ Year	Tech. \$25.59/ Year	Cler. \$20.61/ Year	Jan. \$17.59/ Year	Respon. Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O & M Cost	Number Respon./ Activ.	Total Hours/ Year	Total Cost/ Year
<b>INFORMATION COLLECTION ACTIVITY</b>												
<b>Solvent-Contaminated Reusable Wipes</b>												
<b>Reading the Regulations</b>												
Read the regulations	0.08	0.09	0.08	0.00	0.00	0.25	\$12.74	\$0.00	\$0.00	28	7.00	\$356.72
<b>Labeling Containers</b>												
Affix label with the words "Excluded Solvent-Contaminated Wipes" to each container of reusable w ipes	0.00	0.00	0.00	0.00	0.02	0.02	\$0.35	\$0.00	\$0.84	2,604	52.08	\$3,098.76
<b>Recordkeeping Requirements</b>												
Maintain at the site specified documentation that excluded solvent-contaminated w ipes are being managed according to 40 CFR 261.4(a)(26)	0.00	0.13	0.12	0.00	0.00	0.25	\$8.42	\$0.00	\$0.00	84	21.00	\$707.28
<b>Solvent-Contaminated Disposable Wipes</b>												
<b>Reading the Regulations</b>												
Read the regulations	0.08	0.09	0.08	0.00	0.00	0.25	\$12.74	\$0.00	\$0.00	2	0.58	\$29.73
<b>Labeling Containers</b>												
Affix label with the words "Excluded Solvent-Contaminated Wipes" to each container of disposable w ipes	0.00	0.00	0.00	0.00	0.02	0.02	\$0.35	\$0.00	\$0.84	154	3.08	\$183.26
<b>Recordkeeping Requirements</b>												
Maintain at the site specified documentation that excluded solvent-contaminated w ipes are being managed according to 40 CFR 261.4(b)(18)	0.00	0.13	0.12	0.00	0.00	0.25	\$8.42	\$0.00	\$0.00	7	1.75	\$58.94
<b>TOTAL</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>85.49</b>	<b>\$4,434.69</b>

<sup>a</sup> Exhibit includes rounding.



### (3) Annual Respondent Hour and Cost Burden under Existing Information Collection Requirements

In addition to estimating the *incremental* burden from the final rule, EPA also estimated the hour and cost *savings* to respondents for no longer complying with existing information collection requirements in managing excluded solvent-contaminated wipes. In estimating these savings, EPA recognizes that, despite the existence of the Federal hazardous waste program, current Federal policy is to defer the determination of whether solvent-contaminated wipes must be managed as a solid or hazardous waste to the EPA Regions and authorized States based upon case-specific circumstances (e.g., type of solvent used, degree of hazard, when a spent solvent is generated). The majority of EPA Regions and authorized States have developed their own policies dictating that disposable wipes contaminated with a listed or characteristically hazardous spent solvent should be managed as hazardous waste, while reusable wipes that are managed at industrial laundries need not be managed as hazardous waste, so long as specific conditions are met. Therefore, this ICR examines savings relative to States' current programs (State Policy Baseline).

Table 2 shows who is subject to RCRA Subtitle C under the State Policy Baseline and final rule. These assumptions were used in estimating the burden savings to respondents in managing excluded solvent-contaminated wipes under the final rule.

**Table 2**  
**Who is Subject to RCRA Subtitle C under the Baseline and Final Rule?**

Type of Generator	State Policy Baseline	Final Rule <sup>a</sup>
Generator of solvent-contaminated <i>disposable</i> wipes	In	Out
Generator of solvent-contaminated <i>reusable</i> wipes	Out	Out

<sup>a</sup> Assumes that all applicable conditions under the final rule have been met.

Exhibit 2 summarizes the *incremental* hour and cost burden to respondents under the new information collection requirements. It also shows the annual hour and cost *savings* to respondents for no longer complying with the existing information collection requirements in managing excluded wipes. The exhibit presents total annual respondent hour and cost savings broken out by the EPA ICRs affected by the final rule. The ICRs affected by this rule and the relevant O&M costs are as follows:<sup>6</sup>

- Manifest ICR (EPA ICR Number 801): O&M costs are associated with postage for sending and returning copies of the manifest forms;
- Generator Standards ICR (EPA ICR Number 820): there are no O&M costs;

<sup>6</sup> Note that there are no capital costs associated with the affected information collection requirements in these ICRs.

## EXHIBIT 2

CONDITIONAL EXCLUSIONS FROM SOLID WASTE AND HAZARDOUS WASTE FOR SOLVENT-CONTAMINATED WIPES (FINAL RULE)  
 ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN SUMMARY (INCLUDING SAVINGS UNDER EXISTING ICRs)

ICR Name	ICR Number	Hours/Year	Labor Cost/Year	Capital Cost/Year	O&M Cost/Year	Total Cost/Year
<b>New Information Collection Requirements</b>						
Solvent-Contaminated Wipes - Private Sector Facilities (Exhibit 1A)	2127	64,979	\$1,602,562	\$0	\$1,777,439	\$3,380,001
Solvent-Contaminated Wipes - State and Local Government Facilities (Exhibit 1B)		85	\$2,118	\$0	\$2,317	\$4,435
<i>Subtotal</i>	<i>N/A</i>	<i>65,064</i>	<i>\$1,604,680</i>	<i>\$0</i>	<i>\$1,779,756</i>	<i>\$3,384,436</i>
<b>Existing Information Collection Requirements</b>						
Manifest	801	(9,506)	(\$279,008)	\$0	(\$5,942)	(\$284,950)
Generator Standards	820	(113)	(\$7,389)	\$0	\$0	(\$7,389)
Biennial Report	976	(1,478)	(\$88,771)	\$0	\$0	(\$88,771)
Land Disposal Restrictions	1442	(3,400)	(\$176,589)	\$0	(\$7)	(\$176,596)
<i>Subtotal</i>	<i>N/A</i>	<i>(14,497)</i>	<i>(\$551,757)</i>	<i>\$0</i>	<i>(\$5,949)</i>	<i>(\$557,706)</i>
<b>TOTAL</b>	<b>N/A</b>	<b>50,567</b>	<b>\$1,052,923</b>	<b>\$0</b>	<b>\$1,773,807</b>	<b>\$2,826,730</b>

- Biennial Report ICR (EPA ICR Number 976): there are no O&M costs; and
- Land Disposal Restrictions ICR (EPA ICR Number 1442): O&M costs are associated with recordkeeping of one-time LDR notifications and certifications.

## 1 **6(e) BOTTOM LINE HOUR AND COST BURDEN**

### **(1) Respondent Tally**

EPA presents the total annual respondent burden and cost for the new information collection requirements under the final rule in Exhibit 1. In Exhibit 2, EPA tallies respondents' incremental burden under the rule and their burden savings for no longer complying with existing information collection requirements under the rule, in order to derive *net* impacts.

Exhibit 2 shows that the incremental burden under the final rule is estimated to be 65,064 hours and \$3,384,436 annually. EPA estimates that the burden savings under States' existing program requirements will be 14,497 hours and \$557,706 per year. Thus, the *net* impacts under the final rule are estimated to be 50,567 hours and \$2,826,730 per year. The three-year bottom-line *net* impacts are estimated to be 151,701 hours and \$8,480,190.

### **(2) Agency Tally**

There are no Agency activities associated with the new information collection requirements under the final rule. Thus, there is no Agency hour or cost burden associated with this rule.

## **6(f) REASONS FOR CHANGE IN BURDEN**

EPA believes the new information collection requirements are needed to ensure safe and compliant management of solvent-contaminated wipes under the final rule. As shown in Exhibit 2, the burden associated with the new labeling and recordkeeping requirements will be offset by the savings that respondents will see from no longer managing their solvent-contaminated wipes under existing information collection requirements.

## **6(g) PUBLIC BURDEN STATEMENT**

The average burden per response for this collection of information is estimated to be about two minutes. The average annual recordkeeping burden is estimated to be almost one hour per respondent. This estimate includes time for reading the regulations, affixing labels to containers, and maintaining at the site specified documentation that the excluded solvent-contaminated wipes are being managed in accordance with the final rule.

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 EPA'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-2003-0004, which is available for online viewing at [www.regulations.gov](http://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 and the RCRA Docket is (202) 566-1744. An electronic version of the public docket is available at [www.regulations.gov](http://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-2003-0004 and OMB Control Number **XXXX-XXXX** in any correspondence.

**Appendix A**  
**Description of North American Industry Classification System (NAICS)**  
**Codes Associated with Industries Most Likely Affected by the**  
**Information Collection Requirements Covered in this ICR**

<b>Printing</b>		326121	Unlaminated Plastics Profile Shape Manufacturing
323110	Commercial Lithographic Printing	32613	Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing
323111	Commercial Gravure Printing	32614	Polystyrene Foam Product Manufacturing
323112	Commercial Flexographic Printing	32615	Urethane and Other Foam Product (except Polystyrene) Manufacturing
323113	Commercial Screen Printing	32616	Plastics Bottle Manufacturing
323114	Quick Printing	326191	Plastics Plumbing Fixture Manufacturing
323115	Digital Printing	326192	Resilient Floor Covering Manufacturing
323116	Manifold Business Forms Printing	326199	All Other Plastics Product Manufacturing
323117	Books Printing	326211	Tire Manufacturing (except Retreading)
323118	Blankbook, Looseleaf Binders, and Devices Manufacturing	32622	Rubber and Plastics Hoses and Belting Manufacturing
323119	Other Commercial Printing	326291	Rubber Product Manufacturing for Mechanical Use
323121	Tradebinding and Related Work	326299	All Other Rubber Product Manufacturing
323122	Prepress Services	337215	Showcase, Partition, Shelving, and Locker Manufacturing
<b>Publishing (printed matter)</b>		339113	Surgical Appliance and Supplies Manufacturing
51111	Newspaper Publishers	339932	Game, Toy, and Children's Vehicle Manufacturing
51112	Periodical Publishers	339991	Gasket, Packing, and Sealing Device Manufacturing
51113	Book Publishers		
51114	Directory and Mailing List Publishers		
51119	Other Publishers		
<b>Business services (copy shops)</b>			
561439	Other Business Service Centers (including Copy Shops)		
<b>Chemical and Allied Products</b>		<b>Fabricated Metal Products</b>	
211112	Natural Gas Liquid Extraction	332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
32511	Petrochemical Manufacturing	332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
32512	Industrial Gas Manufacturing	339911	Jewelry (except Costume) Manufacturing
325131	Inorganic Dye and Pigment Manufacturing	339912	Silverware and Hollowware Manufacturing
325132	Synthetic Organic Dye and Pigment Manufacturing	339914	Costume Jewelry and Novelty Manufacturing
325181	Alkalies and Chlorine Manufacturing		
325182	Carbon Black Manufacturing		
325188	All Other Basic Inorganic Chemical Manufacturing	<b>Industrial Machinery and Equipment</b>	
325191	Gum and Wood Chemical Manufacturing	314999	All Other Miscellaneous Textile Product Mills
325192	Cyclic Crude and Intermediate Manufacturing	332323	Ornamental and Architectural Metal Work Manufacturing
325193	Ethyl Alcohol Manufacturing	33241	Power Boiler and Heat Exchanger Manufacturing
325199	All Other Basic Organic Chemical Manufacturing	332991	Ball and Roller Bearing Manufacturing
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing	333111	Farm Machinery and Equipment Manufacturing
331311	Alumina Refining	33312	Construction Machinery Manufacturing
		33322	Plastics and Rubber Industry Machinery Manufacturing
<b>Plastics and Rubber</b>		333295	Semiconductor Machinery Manufacturing
31332	Fabric Coating Mills	333298	All Other Industrial Machinery Manufacturing
315299	All Other Cut and Sew Apparel Manufacturing	333319	Other Commercial and Service Industry Machinery Manufacturing
315999	Other Apparel Accessories and Other Apparel Manufacturing	333414	Heating Equipment (except Warm Air Furnaces) Manufacturing
325991	Custom Compounding of Purchased Resins		
326113	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing		

333511 Industrial Mold Manufacturing  
 333512 Machine Tool (Metal Cutting Types) Manufacturing  
 333513 Machine Tool (Metal Forming Types) Manufacturing  
 333514 Special Die and Tool, Die Set, Jig, and Fixture Manufacturing  
 333515 Cutting Tool and Machine Tool Accessory Manufacturing  
 333518 Other Metalworking Machinery Manufacturing  
 333911 Pump and Pumping Equipment Manufacturing  
 333923 Overhead Traveling Crane, Hoist, and Monorail System Manufacturing  
 333999 All Other Miscellaneous General Purpose Machinery Manufacturing  
 33651 Railroad Rolling Stock Manufacturing

**Furniture and Fixtures**

337110 Wood Kitchen Cabinet and Countertop Manufacturing  
 337121 Upholstered Household Furniture Manufacturing  
 337122 Nonupholstered Wood Household Furniture Manufacturing  
 337124 Metal Household Furniture Manufacturing  
 337127 Institutional Furniture Manufacturing  
 337211 Wood Office Furniture Manufacturing  
 337212 Custom Architectural Woodwork and Millwork Manufacturing  
 337215 Showcase, Partition, Shelving, and Locker Manufacturing

**Auto Dealers (retail trade)**

44111 New Car Dealers  
 44112 Used Car Dealers

**Military Bases**

92812 International Affairs

**Electronics and Computers**

334411 Electron Tube Manufacturing  
 334412 Bare Printed Circuit Board Manufacturing  
 334413 Semiconductor and Related Device Manufacturing

**Transportation Equipment**

332912 Fluid Power Valve and Hose Fitting Manufacturing  
 336111 Automobile Manufacturing  
 336112 Light Truck and Utility Vehicle Manufacturing  
 336211 Motor Vehicle Body Manufacturing  
 336312 Gasoline Engine and Engine Parts Manufacturing  
 33633 Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing  
 33634 Motor Vehicle Brake System Manufacturing  
 336399 All Other Motor Vehicle Parts Manufacturing  
 336411 Aircraft Manufacturing  
 336412 Aircraft Engine and Engine Parts Manufacturing  
 336414 Guided Missile and Space Vehicle Manufacturing  
 336415 Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing  
 336419 Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing  
 336612 Boat Building  
 336992 Military Armored Vehicle, Tank, and Tank Component Manufacturing  
 48839 Other Support Activities for Water Transportation  
 54171 Research and Development in the Physical, Engineering, and Life Sciences  
 81149 Other Personal and Household Goods Repair and Maintenance

**Auto Repair and Maintenance**

811111 General Automotive Repair  
 811112 Automotive Exhaust System Repair