

**SUPPORTING STATEMENT FOR  
EPA INFORMATION COLLECTION REQUEST NUMBER 1597.11  
“REQUIREMENTS AND EXEMPTIONS FOR SPECIFIC RCRA WASTES”  
January 2015**

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

### **1(a) Title and Number of Information Collection**

“Requirements and Exemptions for Specific RCRA Wastes (Renewal)”, EPA ICR number 1597.11, OMB number 2050-0145.

### **1(b) Short Characterization/Abstract**

In the 1976 Resource Conservation and Recovery Act (RCRA), as amended, Congress directs the U.S. Environmental Protection Agency (EPA) to develop and administer a comprehensive program for the safe management and disposal of hazardous waste. In 1980, EPA promulgated regulations in 40 CFR Part 260-279 to comply with RCRA. EPA has since added to these regulations on many occasions.

#### **Universal Waste**

In 1995, EPA promulgated regulations in 40 CFR Part 273 that govern the collection and management of widely generated hazardous wastes known as “Universal Wastes”. Universal Wastes are wastes that are generated in non-industrial settings by a vast community, and are present in non-hazardous waste management systems. Examples of Universal Wastes include certain batteries, pesticides, mercury-containing lamps and thermostats. The Part 273 regulations are designed to separate Universal Waste from the municipal wastestream by encouraging individuals and organizations to collect these wastes and to manage them in an appropriate hazardous waste management system. EPA distinguishes two types of handlers of Universal Wastes: small quantity handlers of Universal Waste (SQHUW) and large quantity handlers of Universal Waste (LQHUW). SQHUWs do not accumulate more than 5,000 kg of any one category of Universal Waste at one time, while LQHUWs may accumulate quantities at or above this threshold. More stringent requirements are imposed on LQHUWs because of greater potential environmental risks.

#### **Mixed Waste**

In 2001, EPA promulgated regulations in 40 CFR Part 266 Subpart N that provide increased flexibility to facilities managing wastes commonly known as “Mixed Waste”. Mixed Waste are low-level mixed waste (LLMW), and naturally occurring and/or accelerator-produced radioactive material (NARM) containing hazardous waste. These wastes are also regulated by the Atomic Energy Act. As long as specified eligibility criteria and conditions are met, LLMW and NARM are exempt from the definition of hazardous waste as defined in Part 261. Although these eligible wastes are exempted from RCRA manifest, transportation, and disposal requirements, they must still comply with the manifest, transportation, and disposal requirements under the Nuclear Regulatory Commission (NRC) regulations, or NRC-Agreement State regulations.

#### **Used Oil**

In 1992, EPA finalized management standards for used oils destined for recycling. The Agency codified the used oil management standards in Part 279 of 40 CFR. The regulations at 40 CFR Part 279 establish, among other things, streamlined procedures for notification, testing, labeling, and recordkeeping. They also establish a flexible self-implementing approach for tracking off-site shipments that allow used oil handlers to use standard business practices (e.g., invoices, bill of lading). In addition, part 279 sets standards for the prevention and cleanup of releases to the environment during storage and transit. EPA believes these requirements will minimize potential mismanagement of used oils, while not discouraging recycling.

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

### **2(a) Need and Authority for the Collection**

EPA promulgated the Universal Waste regulations at 40 CFR Part 273 under the authority of Subtitle C of RCRA. EPA needs to collect information to ensure that Universal Waste is being managed in a manner protective of human health and the environment. For example, EPA needs to collect notifications of Universal Waste management from LQHUs to obtain general information on these handlers and to facilitate enforcement of the Part 273 regulations. EPA promulgated labeling and marking requirements and accumulation time limits to ensure that Universal Waste is being accumulated responsibly. EPA needs to collect information on illegal Universal Waste shipments to enforce compliance with applicable regulations. Finally, EPA requires tracking of Universal Waste shipments to help ensure that Universal Waste is being properly treated, recycled, or disposed.

EPA also promulgated the Conditional Exemption for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal regulations at 40 CFR Part 266 Subpart N in response to negotiations with commercial nuclear power plants and their trade representatives. The industry expressed interest in regulatory flexibility to allow the disposal of mixed waste in commercial low-level radioactive waste disposal facilities (LLRWDFs) as a RCRA-exempt waste. The negotiations resulted in a final consent decree, which required EPA to publish a proposed rule that requests comment on an exemption from the RCRA regulations for mixed waste generated by nuclear power plants.

And finally, EPA promulgated the Used Oil Management Standards at 40 CFR Part 279 under Section 3014 of RCRA, which provides EPA with the statutory authority to promulgate used oil management standards to protect public health and the environment and to not discourage recycling.

### **2(b) Use and Users of the Data**

#### *Universal Waste*

EPA uses collected information to ensure that Universal Waste is being managed in a protective manner. This data aids the Agency in tracking Universal Waste shipments and identifying improper management practices. In addition, information kept in facility records helps handlers and destination facilities to ensure that they and other facilities are managing Universal Waste properly. Finally, petitions submitted under sections 273.80 and 273.81 in support of regulating other wastes or waste categories under Part 273 help EPA to compile information on these wastes, and to determine whether regulation as a Universal Waste is appropriate.

#### *Mixed Waste*

EPA has developed minimum criteria in section 266.230 to ensure that LLMW generators take appropriate steps to qualify for the Storage and Treatment Conditional Exemption, and requires that generators or treaters notify EPA or the Authorized State that they are claiming the transportation and disposal exemption prior to the initial shipment of a waste to a LLRWDF. Section 266.345(a) requires that generators or treaters notify EPA or the Authorized State that they are claiming the Transportation and Disposal Conditional Exemption prior to the initial shipment of a waste to a LLRWDF. This exemption notice provides a tool for RCRA program regulatory agencies to become aware of the generator's exemption claims. The information contained in the notification package provides the RCRA program regulatory agencies with a general understanding of the claimant. This information also allows the agencies to document the generator's exemption status and to plan inspections and review exemption-related records.

#### *Used Oil*

There are four categories of respondents to the Used Oil standards. Used Oil transporters and transfer facilities, used oil processors and re-refiners, burners who burn off-specification used oil for energy recovery, and used oil marketers. In addition, a State may petition EPA to allow the use of used oil as a dust suppressant. The State must demonstrate that it has a program in place to prevent the use of used oil/hazardous waste mixtures or used oil exhibiting a characteristic other than ignitability as a dust suppressant. So far no States have made such a petition.

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

#### **3(a) Nonduplication**

##### *Universal Waste*

The streamlined requirements for Universal Wastes minimize the paperwork activities respondents must undertake in relation to the full hazardous waste program, and enable them to follow standard industry practices and other Federal agency requirements, where appropriate, to satisfy the Universal Waste requirements. For example, LQHUVs may use a log, invoice, bill of lading, or other shipping document to track off-site shipments received and sent (i.e., in lieu of a RCRA manifest). As such, the Universal Waste requirements minimize the potential for duplication with other paperwork requirements of EPA's and other Federal agencies' regulatory programs.

##### *Mixed Waste*

The information collected for LLMW or NARM waste eligible for the conditional exemptions is not available from any existing sources of information. Furthermore, the exemptions are self-implementing, and intended to provide relief to respondents from duplicative information collection requirements.

##### *Used Oil*

There is no other Federal agency that collects the information as required under part 279 concerning the management of used oil for recycling. EPA has coordinated the development of the part 279 requirements with the Department of Transportation's 49 *CFR* regulations, where applicable. Used oil transporters must comply with all applicable packaging, labeling, and placarding requirements of 49 *CFR* parts 173, 178, and 179. In addition, used oil transporters must report discharges of used oil according to existing 49 *CFR* part 171 and 33 *CFR* part 153 requirements.

#### **3(b) Public Notice Required Prior to ICR Submission to OMB**

In compliance with the Paperwork Reduction Act of 1995, EPA issues public notices in the Federal Register taking comment on our intent to renew ICRs. On November 5, 2014 EPA issued a public notice in the Federal Register on the Requirements and Exemptions for Specific RCRA Wastes ICR renewal (79 FR 65652). EPA received no comments in response to the Federal Register notice.

#### **3(c) Consultations**

As noted above, EPA published a Federal Register notice. EPA also conducted separate consultations with the regulated communities:

Penn State University	Mark Linsley	814-865-3450
University of Notre Dame	Robert Zerr	574-631-5037
DuPont Pharmaceuticals Company	David Timmins	302-774-8056
Merck & Company, Inc.	Renee Richardson	908-423-7813
Diversified Scientific Services	Richard Franco	865-376-0084
Onyx Environmental Services	Greg Siedor	630-218-1635

#### **3(d) Effects of Less Frequent Collection**

For both waste categories, EPA has carefully considered the burden imposed upon the regulated community by the regulations. EPA is confident that those activities required of respondents are necessary and has attempted to minimize the burden imposed. For the Universal Waste requirements, EPA believes strongly that if the minimum requirements specified under the regulations are not met, neither the facilities nor EPA can ensure that Universal Waste is being managed in a manner protective of human health and the environment. For the Mixed Waste exemptions, these requirements constitute the minimum amount of reporting that could be required while still maintaining some level of EPA supervision.

**3(e) General Guidelines**

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

**3(f) 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(g) Sensitive Questions**

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

**4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

**4(a) Respondents and SIC/NAICS Codes**

**Table 1  
List of SIC and NAICS Codes**

<b>Description</b>	<b>NAICS Codes</b>
Crop Production	011
Soil Preparation	115
Landscape Services	541
Forestry and Logging	113
Plumbing, Heating, and Air Conditioning	235
Textile Mills	313
Paper Manufacturing	322
Printing and Publishing	323
Chemicals Manufacturing	325
Plastics and Rubber Product Manufacturing	326
Petroleum and coal products	324

Description	NAICS Codes
Leather Tanning and Finishing	316
Ceramic Wall and Floor Tile	327
Primary Metal Industries	331
Fabricated Metal Products	332
Industrial and Commercial Machinery and Computer Equipment	333
Electronics and Other Electrical Equipment and Components	335
Transportation Equipment	336
Medical Equipment, Including Ophthalmic Goods	339
Rail Transportation	482
Transit and Ground Passenger Transportation	485
Motor Freight Transportation Warehousing	484
Air Transportation	481
Electric, Gas, and Sanitary Services	221
Scrap and Waste Materials	421
Wholesale Petroleum Marketing	454
Automobile Dealers	441
Dry Cleaning and Laundry Services	812
Photographic Studios	541
Funeral Services and Crematories	812
Miscellaneous Business Service	561
Automotive Repair Services	811
Motion Picture and Video Industries	512
Services to Buildings and Dwellings	5617
Health Services	62
Colleges, Universities, Professional Schools, and Junior Colleges	611
Research, Development, and Testing Services	541
Other Services	541

Description	NAICS Codes
National Security	928

**4(b)(1) Information Requested for Universal Waste**

**A. Notification of Universal Waste**

*(i) Data Items*

Section 273.32 requires LQHUWs to send written notification of Universal Waste management to the Regional Administrator, and receive an EPA identification number, before exceeding the 5,000 kilogram accumulation limit of Universal Waste. (Sections 273.32(a)(2) and (3), however, exempt LQHUWs from this requirement if they have already notified EPA of either hazardous waste activities under RCRA or pesticide management under Federal Insecticide, Fungicide, and Rodenticide Act(FIFRA.)

The notification must include the following data items:

- Universal Waste handler’s name and address (§273.32(b)(1));
- Name and phone number of the contact person at the Universal Waste handler’s site (§273.32(b)(2));
- Location of the Universal Waste management activities (§273.32(b)(3));
- A list of all types of Universal Waste managed (§273.32(b)(4)); and
- A statement that 5,000 kilograms or more of waste are accumulated at one time, and a description of the types of waste accumulated above this quantity (§273.32(b)(5)).

*(ii) Respondent Activities*

Prepare and send written notification of Universal Waste management.

**B. Labeling/Marking of Universal Waste**

*(i) Data Items*

Sections 273.14 and 273.34 require SQHUWs and LQHUWs, respectively, to label or mark their Universal Waste. The information must identify the type of waste, and be provided on the waste itself, or the container, tank, or transport vehicle in which the waste is contained (§§273.14 and 273.34).

*(ii) Respondent Activities*

Label or mark the Universal Waste to identify the type of waste.

**C. Accumulation Time Limits for Universal Waste**



(i) *Data Items*

Sections 273.15 and 273.35 require SQHUWs and LQHUWs, respectively, to demonstrate the length of time that the Universal Waste has been accumulated from the date it was received or became a waste. The demonstration may be made by using any of the following methods:

- Placing the Universal Waste in a container and marking or labeling the container with the earliest date that any Universal Waste in the container became a waste or was received (§273.15(c)(1) or §273.35(c)(1));
- Marking or labeling the individual item of Universal Waste with the date it became a waste or was received (§273.15(c)(2) or §273.35(c)(2));
- Maintaining an inventory system on-site that identifies the date the Universal Waste being accumulated became a waste or was received (§273.15(c)(3) or §273.35(c)(3));
- Maintaining an inventory system on-site that identifies the earliest date any Universal Waste in a group of Universal Waste items or a group of containers of Universal Waste became a waste or was received (§273.15(c)(4) or §273.35(c)(4));
- Placing the Universal Waste in a specific accumulation area and identifying the earliest date that any Universal Waste in the area became a waste or was received (§273.15(c)(5) or §273.35(c)(5)); or
- Any other method approved in advance by the Regional Administrator or the State Director (§273.15(c)(6) or §273.35(c)(6)).

(ii) *Respondent Activities*

Demonstrate the length of time that Universal Waste has been accumulated since it became a waste or was received.

**D. Off-Site Shipments of Universal Waste**

(i) *Data Items*

Sections 273.18(f), 273.38(f), and 273.61(b) require SQHUWs, LQHUWs, and destination facilities, respectively, to notify a Universal Waste handler if a shipment or a portion of a shipment is rejected. Sections 273.18(g), 273.38(g), and 273.61(c) require SQHUWs, LQHUWs, and destination facilities, respectively, to notify the regional EPA office of any illegal shipment of waste. The data items required for rejection notifications or illegal shipment notifications are:

- Notification to the originating handler of the rejection of the shipment (§§273.18(f), 273.38(f), or 273.61(b)); and/or
- Notification to EPA of the illegal shipment, including the name, address, and phone number of the originating shipper (§§273.18(g), 273.38(g), and 273.61(c)).

(ii) *Respondent Activities*

- If necessary, prepare and submit a notice of rejection of shipment to the originating handler; and/or

- If necessary, prepare and submit a notice of illegal shipment to EPA.

## **E. Tracking Shipments of Universal Waste**

### *(i) Data Items*

Sections 273.39 and 273.62 require LQHUWs and destination facilities, respectively, to maintain records of each Universal Waste shipment received and sent, and to retain those records for a period of three years from the day of receipt or sending of the shipment. The following information is required in the records:

For shipments received on site, data items must consist of:

- The name and address of the originating Universal Waste handler from whom the waste was sent (§§273.39(a)(1) and 273.62(a)(1));
- The quantity of each type of Universal Waste received (§§273.39(a)(2) and 273.62(a)(2)); and
- The date the Universal Waste was received (§§273.39(a)(3) and 273.62(a)(3)).

For shipments sent off-site for further management, data items must consist of:

- The name and address of the Universal Waste handler to whom the waste was sent (§§273.39(b)(1) and 273.62(b)(1));
- The quantity of each type of Universal Waste sent (§§273.39(b)(2) and 273.62(b)(2)); and
- The date the Universal Waste was sent (§§273.39(b)(3) and 273.62(b)(3)).

### *(ii) Respondent Activities*

- For shipments received on site, maintain records for a period of three years.
- For shipments sent off-site, maintain records for a period of three years.

## **F. Petitions to Include Other Wastes under 40 CFR Part 273**

### *(i) Data Items*

Section 273.80 allows any person to petition EPA for an amendment to add a hazardous waste or category of hazardous waste to the Universal Waste regulations in 40 CFR Part 273. The petitioner must demonstrate that regulation under part 273 is: (1) appropriate for the waste or category of waste, (2) will improve management practices for the waste or category of waste, and (3) will improve implementation of the hazardous waste program. The demonstration must include:

- A description of the need for regulation and regulatory impacts (§273.80(b)).
- Information required under 40 CFR 260.20(b)
- Information addressing the factors listed in 40 CFR 273.81.

### *(ii) Respondent Activities*

Prepare and submit a petition supporting regulation of a waste or waste category under Part 273.

#### **4(b)(2) Information Requested for Mixed Waste**

##### **A. Storage and Treatment Conditional Exemption**

###### *(i) Data Items*

Facilities seeking the mixed waste storage and treatment exemption must provide, or conduct and maintain the following, as required by §266.230:

- A written notification submitted by certified delivery stating that the facility intends to claim the conditional exemption for LLMW stored at the facility. The dated notification must include the facility name, address, RCRA identification number, NRC or NRC Agreement State license, the waste code(s) and storage unit(s) for which the facility is seeking an exemption, and a statement that the facility meets the conditions of this part. The notification must be signed by the facility's authorized representative certifying that the information in the claim is true, accurate, and complete. The notification must be submitted within 90 days of the effective date of this rule in each State, or within 90 days of when a storage unit is first used to store conditionally exempt LLMW, as required by §266.230(a);
- A certification that facility personnel who manage stored conditionally exempt LLMW are trained in a manner that ensures that the conditionally exempt waste is safely managed and includes training in chemical waste management and hazardous materials incidents response that meets the personnel training standards found in 40 CFR 265.16(a)(3), as required by §266.230(b)(3);
- An inventory of stored conditionally exempt LLMW (conducted at least annually), as required by §266.230(b)(4);
- Inspections of stored conditionally exempt LLMW for compliance with the conditions listed in Part 266 Subpart N (conducted at least quarterly), as required by §266.230(b)(4); and
- An accurate emergency plan describing emergency response arrangements with local authorities and evacuation plans; listing the names, addresses, and telephone numbers of all facility personnel qualified to work with local authorities as emergency coordinators; and listing emergency equipment, as required by §266.230(b)(5).

###### *(ii) Respondent Activities*

- Prepare and submit by certified delivery the notification of intent to claim the conditional exemption for LLMW stored at the facility;
- Prepare the certification that facility personnel have been appropriately trained;
- Inventory conditionally exempt LLMW and record findings (at least annually);
- Conduct compliance inspections of conditionally exempt LLMW and record findings (at least quarterly); and
- Maintain an emergency plan on site and provide it to all local emergency response authorities who may have to respond to a fire, explosion, or release of

hazardous waste or hazardous constituents.

## **B. Loss of Storage and Treatment Conditional Exemption**

### *(i) Data Items*

Facilities that lose the exemption for their conditionally exempt LLMW because they no longer meet the requirements in §266.230 must provide the following, as required by §266.240:

- A written notification submitted by certified delivery within 30 days of becoming aware of the failure informing EPA or the Authorized State and the NRC or oversight agency in the NRC Agreement State of the condition(s) the facility failed to meet, a description of the LLMW (including the waste name, hazardous waste codes, and the quantity), the storage location at the facility, and the date(s) on which the facility failed to meet the conditions, as required by §266.240(a)(1); and
- If the failure may endanger human health or the environment, an oral notification to EPA or the Authorized State, within 24 hours of learning of the failure, followed by a written notification within five days, as required by §266.240(a)(2).

In order to reclaim an exemption for LLMW, a facility must provide a notice signed by the facility's authorized representative and submitted by certified delivery to EPA or the Authorized State as required by §266.245(a)(2). This notice must include the following:

- An explanation of the circumstances of the failure(s);
- Certification that all failures that caused the facility to lose the exemption for its LLMW have been corrected and that the facility again meets all of the conditions in §266.230 as of the date specified;
- A description of the plan implemented, listing specific steps taken, to ensure the conditions will be met in the future; and
- Any additional information the facility would like to submit.

### *(ii) Respondent Activities*

- Prepare and submit by certified delivery the written notification of exemption loss;
- Inform the EPA Region or the Authorized State of the failure (orally and follow-up written notification) in cases of endangerment to human health or the environment; and
- Prepare and submit by certified delivery the notice reclaiming the exemption for LLMW.

## **C. Record Keeping for Storage and Treatment Conditional Exemption**

### *(i) Data Items*

In addition to those records required by the NRC or NRC Agreement State license, all facilities subject to the mixed waste exemption requirements must develop and maintain the following as required by §266.250:

- Initial notification records, return receipts, reports to EPA or the Authorized State

of failure(s) to meet the exemption conditions, and all records supporting any reclaim of an exemption;

- Records of LLMW annual inventories, and quarterly inspections;
- Certification that facility personnel who manage stored mixed waste are trained in safe management of LLMW including training in chemical waste management and hazardous materials incidents response; and
- Emergency plan as specified in §266.230(b).

(ii) *Respondent Activities*

Maintain and update records of notifications, return receipts, failure report(s), inventories, inspections, certifications, and the emergency plans.

**D. Transportation and Disposal Conditional Exemption**

(i) *Data Items*

Facilities claiming a Transportation and Disposal Conditional Exemption must provide the following, as required by §266.345(a) and (b):

- A written notification submitted to EPA or the Authorized State by certified delivery prior to the first shipment of waste to the LLRWDF that states that the facility is claiming the Transportation and Disposal Conditional Exemption. The notification must include the date and the facility name, address, phone number, and RCRA ID number, as required by §266.345(a).
- A notification sent by certified delivery to the LLRWDF prior to each shipment of exempted waste, as required by §266.345(b).

(ii) *Respondent Activities*

Prepare and submit the notification to EPA or the Authorized State and prepare and submit the LLRWDF notifications.

**E. Loss of Transportation and Disposal Conditional Exemption**

(i) *Data Items*

Owners or operators of facilities who fail to satisfy any of the conditions for the transportation and disposal exemption for their waste must provide the following:

- A report signed by the facility's authorized representative and submitted by certified delivery within 30 days of becoming aware of the failure, as required by §266.355(a)(1).
- A description of the waste (including the waste name, hazardous waste codes and quantity) that lost the exemption; and
- The date(s) on which the facility failed to meet the condition(s) for the waste.
- If the failure may endanger human health or the environment, oral notification to EPA or the Authorized State within 24 hours, followed by a notification within five days, as required by §266.355(a)(2).

To reclaim the Transportation and Disposal Conditional Exemption for the waste, another notification must be signed by the facility's authorized representative and submitted by certified delivery, as required by §266.360(a)(2). This notification must include:

- An explanation of the circumstances of each failure;
- A certification that all failures that caused the facility to lose the exemption for the waste have been corrected and that the facility again meets all of the applicable conditions for the waste as of the date specified;
- A description of the plan implemented, listing specific steps taken, to ensure the conditions will be met in the future; and
- Any additional information the facility would like to submit.

*(ii) Respondent Activities*

- Prepare and submit by certified delivery the report of the failure;
- Inform EPA or the Authorized State of the failure (orally and follow-up notification) in cases of endangerment to human health or the environment; and
- Prepare and submit by certified delivery the notice for reinstatement.

**F. Record Keeping for Transportation and Disposal Conditional Exemption**

*(i) Data Items*

In addition to those records required by the NRC or NRC Agreement State license, facilities must develop and maintain the following items, as required in §266.350:

- All applicable existing records required under §§264.73, 265.73, and 268.7 to demonstrate that the facility's waste has met LDR treatment standards prior to claiming the exemption. [These are existing recordkeeping requirements and are not burdened in this ICR.]
- A copy of all notifications and return receipts sent under §§266.355 and 266.360 for three years after the exempted waste is sent for disposal;
- A copy of all notifications and return receipts required by §266.345(a) for three years after the last exempted waste is sent for disposal;
- A copy of the notification and return receipt required by §266.345(b) for three years after the exempted waste is sent for disposal; and
- If the facility or its waste is not already subject to NRC or NRC Agreement State equivalent manifest and transportation regulations for the shipment of its waste, it must keep a copy of all other documents related to tracking the exempted waste as required under 10 CFR 20.2006 or NRC Agreement State equivalent regulations, including applicable NARM requirements, in addition to the records specified in §266.350(a) through (d).

*(ii) Respondent Activities*

Copy, when necessary, and maintain the records listed above.

**4(b)(3) Information Requested for Used Oil**

## **A. Notification**

### *(i) Data Items*

The data items required of used oil transporters for the above activities include:

- A completed EPA Form 8700-12; or
- A letter requesting an EPA identification number. The letter must include the following information:

Transporter company name;  
Owner of the transporter company;  
Mailing address for the transporter;  
Name and telephone number for the transporter point of contact;  
Type of transport activity;  
Location of all transfer facilities at which used oil is stored; and  
Name and telephone number for a contact at each transfer facility.

### *(ii) Respondent Activities*

In order to comply with the above requirements, used oil transporters must conduct the following activities:

- Submit to EPA a completed EPA Form 8700-12 or a letter requesting an identification number.

[Note: This ICR does not address the requirement in 40 *CFR* 279.42 for obtaining an EPA identification number. Refer to the "Notification of Regulated Waste Activity," ICR Number 261, for this requirement.]

## **B. Used Oil Discharges**

### *(i) Data Item*

The data items required of used oil transporters for the above activities include:

- Notification to local authorities of the used oil discharge.

### *(ii) Respondent Activity*

In order to comply with the above requirements, used oil transporters must conduct the following activities:

- Notify local authorities of the used oil discharge.

[Note: This ICR does not address the 49 *CFR* part 171 and 33 *CFR* part 153 notification requirements referenced in 40 *CFR* 279.43(c) since these requirements are not under EPA's jurisdiction.]

## **C. Rebuttable Presumption for Used Oil**

### *(i) Data Items*

The data items required of used oil transporters for the above activities include:

- A determination of whether the total halogen content of the used oil being transported or stored at the transfer facility is above or below 1,000 ppm;
- If the used oil contains greater than or equal to 1,000 ppm total halogens, a demonstration that the used oil does not contain hazardous waste; and
- Records of analyses conducted or information used to demonstrate compliance with the rebuttable presumption for used oil.

(ii) *Respondent Activities*

In order to comply with the above requirements, used oil transporters must conduct the following activities:

- Determine whether the total halogen content of used oil being transported or stored at a transfer facility is above or below 1,000 ppm by testing the used oil or applying knowledge of the halogen content of the used oil in light of the materials or processes used;
- If the used oil contains greater than or equal to 1,000 ppm total halogens, rebut the hazardous waste presumption by demonstrating that the used oil does not contain hazardous waste; and
- Maintain records of analyses conducted or information used to demonstrate compliance with the rebuttable presumption for used oil for at least three years.

**D. Labels**

(i) *Data Item*

The data item required of used oil transporters for the above activities include:

- Label with the words "Used Oil."

(ii) *Respondent Activity*

In order to comply with the above requirements, used oil transporters must conduct the following activities:

- Affix label with the words "Used Oil."

**E. Tracking**

(i) *Data Items*

The data items required of used oil transporters for the above activities include:

- Records of each used oil shipment accepted for transport, including the following information:
  - The name, address, and EPA identification number (if applicable) of the generator, transporter, or processor/re-refiner who provided the used oil for transport;
  - The quantity of used oil accepted;
  - The date of acceptance; and



-- The signature, dated upon receipt of the used oil, of a representative of the generator, transporter, or processor/re-refiner who provided the used oil for transport.

- Records of each used oil shipment sent to another used oil transporter, or to a used oil burner, processor/re-refiner, or disposal facility, including the following information:
  - The name, address, and EPA identification number (if applicable) of the receiving facility or transporter;
  - The quantity of used oil delivered;
  - The date of delivery; and
  - The signature, dated upon receipt of the used oil, of a representative of the receiving facility or transporter.
- Records of each used oil shipment exported to any foreign country, including the following information:
  - The name, address, and EPA identification number (if applicable) of the receiving facility or transporter;
  - The quantity of used oil delivered; and
  - The date of delivery.

*(ii) Respondent Activities*

In order to comply with the above requirements, used oil transporters must conduct the following activities:

- Prepare and maintain, for at least three year, a record of each used oil shipment accepted for transport.
- Prepare and maintain, for at least three years, a record of each used oil shipment delivered to another used oil transporter, or to a used oil burner, processor/re-refiner, or disposal facility.
- Prepare and maintain, for at least three years, a record of each used oil shipment exported to any foreign country.

**F. Arrangements with State and Local Authorities**

*(i) Data Items*

The data item required of used oil processors and re-refiners for the above activities include:

- Documentation in the operating record of cases in which a State or local authority declines to enter into an arrangement with the used oil processor or re-refiner.

*(ii) Respondent Activity*

In order to comply with the above requirements, used oil processors and re-refiners must conduct the following activity:

- Document in the operating record any case in which a State or local authority declines to enter into an arrangement.

## **G. Contingency Plan**

### *(i) Data Item*

The data item required of used oil processors and re-refiners for the above activities include:

- A contingency plan that includes the following information:
  - A description of actions that facility personnel must take to comply with §§279.52(b)(1) and 279.52(b)(6) in response to fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water at the facility;
  - A description of arrangements with local police and fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to §279.52(a)(6);
  - An up-to-date list of names, addresses, and phone numbers of all persons qualified to act as emergency coordinator;
  - An up-to-date list of all emergency equipment at the facility, including a physical description of each piece of equipment, its location, and its capabilities; and
  - An evacuation plan for facility personnel where there is a possibility that evacuation could be necessary.

### *(ii) Respondent Activities*

In order to comply with the above requirements, used oil processors and re-refiners must conduct the following activities:

- Collect the information necessary to develop the contingency plan;
- Develop and maintain the contingency plan; and
- Submit a copy of the contingency plan to all State and local authorities that may be called upon to provide emergency services.
- Review and amend the contingency plan, as necessary.

## **H. Emergency Procedures**

### *(i) Data Items*

The data item required of used oil processors and re-refiners for the above activities include:

- Notification to the appropriate State and local agencies of an imminent or actual emergency situation;
- Notification to the appropriate local authorities, if the hazards assessment indicates that evacuation of local areas may be advisable;
- Emergency report to be submitted to either the OSC or the NRC. The report must include:
  - Name and telephone number of reporter;
  - Name and address of facility;
  - Time and type of incident (e.g., release, fire);

- Name and quantity of material(s) involved, to the extent known;
- The extent of injuries, if any; and
- The possible hazards to human health, or the environment, outside the facility.

- After an emergency situation, notification to EPA and State and local authorities that the facility is in compliance with §§279.52(b)(6)(viii)(A) and (B);
- Documentation of the emergency incident in the operating record; and
- A written report on the emergency incident.

*(ii) Respondent Activities*

In order to comply with the above requirements, used oil processors and re-refiners must conduct the following activities:

- Notify the appropriate State and local agencies of an imminent or actual emergency situation;
- Collect information required for an emergency report;
- Notify the appropriate local authorities, if the hazards assessment indicates that evacuation of local areas may be advisable;
- Submit an emergency report to either the OSC or the NRC;
- Compile information that demonstrates that the facility is in compliance with the waste compatibility and emergency equipment requirements in §§279.52(b)(6)(viii)(A) and (B);
- Prepare and submit notification demonstrating compliance to EPA and local authorities;
- Note in the operating record the time, date, and details of the emergency incident;
- Collect information required in the written report on the emergency incident; and
- Prepare and submit to EPA the written report on the emergency incident, within 15 days after the emergency incident.

**I. Closure of Aboveground Tanks**

*(i) Data Item*

The data item required of used oil processors and re-refiners for the above activities include:

- A demonstration upon closure of a tank system that not all contaminated soils can be practicably removed or decontaminated as required by 279.54(h)(1)(i).

*(ii) Respondent Activities*

In order to comply with the above requirements, used oil processors and re-refiners must conduct the following activities:

- Prepare and submit to EPA a demonstration demonstrating that not all contaminated soils can be practicably removed or decontaminated as required by §279.54(h)(1)(i), if applicable.

## **J. Analysis Plan**

### *(i) Data Items*

The data items required of used oil processors and re-refiners for the above activities include:

- A written analysis plan for the rebuttable presumption for used oil in §279.53. At a minimum, the plan must specify the following:
  - Whether sample analyses or knowledge of the halogen content of the used oil will be used to make this determination;
  - If sample analyses are used to make this determination:
    - The sampling method used to obtain representative samples to be analyzed;
    - The frequency of sampling to be performed, and whether the analysis will be performed on site or off site;
    - The methods used to analyze used oil for the parameters specified in §279.53;
  - The type of information that will be used to determine the halogen content of the used oil.
- A written analysis plan for on-specification used oil fuel in §279.72. At a minimum, the plan must specify the following if §279.72 is applicable:
  - Whether sample analyses or other information will be used to make this determination;
  - If sample analyses are used to make this determination:
    - The sampling method used to obtain representative samples to be analyzed;
    - Whether used oil will be sampled and analyzed prior to or after any processing/re-refining;
    - The frequency of sampling to be performed, and whether the analysis will be performed on site or off site;
    - The methods used to analyze used oil for the parameters specified in §279.72;
  - The type of information that will be used to make the on-specification used oil fuel determination.

### *(ii) Respondent Activities*

In order to provide the data items listed above, processors and re-refiners must perform the following activities:

- Develop a written analysis plan describing the procedures that will be used to comply with the analysis requirements of §279.53 and, if applicable, §279.72;
- Follow the analysis plan; and
- Maintain the analysis plan at the facility.

**K. Operating Record**

*(i) Data Items*

The data items required of used oil processors and re-refiners for the above activities include:

- A written operating record at the facility that includes the following information:
  - Records and results of used oil analyses performed as described in the analysis plan required under §279.55; and
  - Summary reports and details of all incidents that require implementation of the contingency plan as specified in §279.52(b).

*(ii) Respondent Activity*

In order to comply with the above requirements, used oil processors and re-refiners must conduct the following activity:

- As information becomes available, record in the operating record the results of used oil analyses performed as described in the analysis plan required under §279.55 and summary reports and details of all emergency incidents as specified in §279.52(b).

**L. Reporting**

*(i) Data Items*

The data items required of used oil processors and re-refiners for the above activities include:

- A letter containing the following information:
  - The EPA identification number, name, and address of the processor or re-refiner;
  - The calendar year covered by the report; and
  - The quantities of used oil accepted for processing/re-refining and the manner in which the used oil is processed/re-refined, including the specific processes employed.

*(ii) Respondent Activities*

In order to comply with the above requirements, used oil processors and re-refiners must conduct the following activity:

- Prepare and submit to EPA a biennial report (by March 1 of each even numbered year) concerning used oil activities during the previous calendar year.

**M. Notices**

*(i) Data Item*

The data item required of used oil burners for the above activities include:

- A one-time written and signed notice certifying that:

- The burner has notified EPA of his location and has provided a general description of his used oil management activities; and
- The burner will burn the used oil only in an industrial furnace or boiler identified in §279.61(a).

(ii) *Respondent Activities*

In order to comply with the above requirements, used oil burners must conduct the following activities:

- Provide a one-time written and signed certification to each generator, transporter, or processor/refiner who ships used oil to the burner; and
- Maintain the certification for three years after the date the burner last receives a used oil shipment from that generator, transporter, or processor/re-refiner.

**N. Analysis of On-specification Used Oil Fuel**

(i) *Data Items*

The data item required of used oil marketers for the above activities include:

- Records of analyses performed or copies of analyses or other information documenting that the used oil fuel meets the specifications under §279.11.

(ii) *Respondent Activities*

In order to comply with the above requirements, used oil marketers must conduct the following activities:

- Perform used oil analyses or obtain copies of analyses or other information documenting that the used oil fuel meets the specifications under §279.11; and
- Retain copies of analyses or other information used to make the on-specification used oil fuel determination for three years.

**O. State Programs**

(i) *Data Items*

The data item required of States for the above activities include:

- A petition demonstrating the following:
  - The State has a program in place to prevent the use of used oil/hazardous waste mixtures or used oil exhibiting a characteristic other than ignitability as a dust suppressant; and
  - The program would minimize the impacts of use of dust suppressant on the environment.

(ii) *Respondent Activities*

In order to comply with the above requirements, States must conduct the following activities:

- Prepare and submit to EPA a petition to allow the use of used oil as a dust suppressant.

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

**5(a) Agency (or Authorized State) Activities**

**Universal Waste**

For the Universal Waste requirements, most information required of Universal Waste handlers is maintained in records and therefore is not formally submitted to EPA. For the information that is submitted, the Agency: reviews and files notifications of Universal Waste management; sends an EPA identification number to Universal Waste handlers who wish to exceed the 5,000 kilogram limit on accumulation; enters notification information into a database; reviews and files notices of rejected or illegal waste shipments; review petitions supporting regulation of a waste or category of waste under the Part 273 Universal Waste regulations; prepares and sends a written decision to the petitioner; and compiles and files all information on the petition.

**Mixed Waste**

For Mixed Waste exemptions, EPA reviews notifications of intent to claim an exemption, reviews the written notification of exemption loss, reviews the oral and written follow up notice if the failure endangers human health or the environment; and reviews notices reclaiming an exemption.

**Used Oil**

**(a) Notification**

Agency activities associated with the requirement for used oil transporters and transfer facilities to obtain an EPA identification number include:

- Reviewing the completed application;
- Entering information into the RCRAInfo system;
- Generating an EPA identification number; and
- Sending the EPA identification number to the used oil handler.

**(b) Rebuttable Presumption for Used Oil**

Agency activities associated with the demonstration under section 279.44 that used oil containing greater than or equal to 1,000 ppm total halogens does not contain hazardous waste may include:

- Reviewing the demonstration; and
- Entering information into a database.

**(c) Emergency Procedures**

Agency activities associated with the emergency procedures in section 279.52(b)(6) include:

- Reviewing information in notification letters demonstrating that the facility is in compliance with the waste compatibility and emergency equipment requirements in §§279.52(b)(6)(viii)(A) and (B); and
- Reviewing information in written reports on emergency incidents.

**(d) Closure of Aboveground Tanks**

Agency activities associated with the closure of above ground tanks under section 279.54(h)(1) include:

- Reviewing information submitted by used oil processors/re-refiners demonstrating that not all contaminated soils can be practicably removed or decontaminated as required by section 279.54(h)(1)(i); and
- Entering information into a database.

**(e) Reporting**

Agency activities associated with the reporting requirements under section 279.57(b) include:

- Reviewing biennial reports concerning used oil activities conducted at processing/re-refining facilities.

**(f) State Programs**

Agency activities associated with the information collection requirements under section 279.82(b) include:

- Reviewing and approving/denying petitions submitted by State programs.

**5(b) Collection Methodology and Management**

For the Universal Wastes requirements, most information can be maintained in facility records rather than in submittals to EPA. For the information that must be submitted, EPA ensures the accuracy and completeness of the collected information by reviewing each submittal. EPA enters information into a database and aggregates data to monitor the Universal Waste program.

For the Mixed Waste exemptions, the reporting requirements are not intended to provide EPA with data it will use for research; rather, they are intended to serve as tools by which the Agency and respondents can monitor compliance and assure that the conditions of the exemption are met. EPA only reviews notifications submitted by respondents and, if necessary, notify them of any actions taken by the Agency or required of the respondent.

For Used Oil, in collecting and analyzing the information required under the part 279 requirements, EPA uses equipment such as personal computers and applicable data base software, when appropriate. EPA will ensure the accuracy and completeness of the collected information by reviewing each submittal. EPA will enter the information obtained into a database, as appropriate aggregate data to monitor the used oil management program.



### **5(c) Small Entity Flexibility**

For the Universal Waste requirements, EPA exempted SQHUWs from several administrative requirements. For example, EPA does not require SQHUWs to submit notifications of Universal Waste management, or to obtain an EPA identification number. EPA also does not require SQHUWs to track (keep records of) their Universal Waste shipments. EPA believes these exemptions encourage small businesses to safely manage Universal Waste in compliance with Part 273. In addition, EPA allows Universal Waste generators to count their monthly generation of Universal Wastes separately from their other hazardous wastes in determining their regulated status under 40 CFR 261.5. Generators who generate 100 kilograms of Universal Waste or less in a calendar month may comply with the Universal Waste regulations or the exemption in section 261.5.

For the Mixed Waste exemptions, the information collection requirements do not adversely impact small entities. The exemptions are self-implementing and intended to provide regulatory relief. Facilities would not claim the exemption for the waste unless, by doing so, they expect to save time and/or money. Additionally, these requirements apply equally to small and large entities and will not impose a disproportionate burden on either.

For Used Oil, in promulgating the used oil management regulations covered in this ICR, EPA considered the reporting and recordkeeping burden for small businesses. The regulations in part 279 allow used oil handlers to maintain most information in facility records rather than in submittals to EPA, thus reducing time and costs for providing information. In addition, the used oil management system is a regulatory relief initiative that should reduce regulatory burden and costs for all used oil handlers, but should particularly benefit small entities.

### **5(d) Collection Schedule**

For the Universal Waste requirements, EPA expects LQHUWs to submit notifications of Universal Waste management before they meet or exceed the 5,000 kilogram accumulation limit. EPA expects any Universal Waste handler to notify EPA if it receives an illegal shipment of waste. EPA expects to receive petitions under sections 273.80 and 273.81 if and when an organization believes that a waste or category of waste should be subject to the Part 273 Universal Waste regulations rather than full Subtitle C requirements.

For the Mixed Waste exemptions, respondents wishing to claim a storage or treatment exemption for their LLMW must do so within 90 days of the date on which the unit is first used to store conditionally exempt LLMW. If a facility fails to meet any of the conditions specified in section 266.230, the facility must report to EPA or the Authorized State and the NRC or the oversight agency in the NRC Agreement State in writing by certified delivery within 30 days of learning of the failure, as required by section 266.240(a)(1). If the failure to meet any of the conditions may endanger human health or the environment, the facility must notify EPA or the Authorized State orally (within 24 hours) and follow up with written notification within five days, as required by section 266.240(a)(2). Respondents wishing to claim a transportation and disposal exemption may do so any time they generate a waste stream that meets the conditions of the exemption. They must submit a notification to EPA or the Authorized State prior to the initial shipment claiming the exemption. In addition, for wastes that no longer meet the conditions for exemption, a respondent has 30 days after learning of the failure to submit a notification, as required by section 266.355(a)(1). If the failure to meet any of the conditions may endanger human health or the environment, the facility must also immediately notify EPA or the Authorized State orally within 24 hours and follow up with a notification within five days, as required by section 266.355(a)(2).

For Used Oil, EPA collects information under the part 279 regulations on a one-time or as-needed basis (e.g., notifications, demonstrations). However, in the event that a release, fire, or explosion occurs, used oil processors/re-refiners must inform EPA and appropriate State and local authorities that the facility is in compliance with the waste compatibility and emergency equipment requirements in section

279.52(b)(6) before operations are resumed. Within 15 days after the incident, processors/re-refiners must submit a written report on the incident to EPA, as required by sections 279.52(b)(6)(ix). In addition, under section 279.57(b), processors/re-refiners are required to report to EPA, in the form of a letter, on a biennial basis (by March 1 of each even numbered year), specified information concerning used oil activities during the previous calendar year.

## 6. ESTIMATING THE BURDEN AND COST OF COLLECTION

### 6(a) Estimating Respondent Burden

The respondent burden estimates for this information collection are presented in Exhibits 1 through 10. The exhibits estimate the number of hours required to conduct each individual information collection activity and the cost associated with that activity. The exhibits also show the total annual burden and costs for conducting all of the activities.

### 6(b) Estimating Respondent Costs

(i) *Labor Rates* - For purposes of this analysis, EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$129.82 for legal staff, \$76.73 for managerial staff, \$57.16 for technical staff, and \$34.39 for clerical staff. These respondent labor costs were obtained from the previously approved ICR and updated to 2014 levels using Employment Cost Indexes developed by the U.S. Bureau of Labor Statistics.

(ii) *Capital Costs* - Capital costs usually include any produced physical good needed to provide or keep records of the needed information, such as machinery, computers, and other equipment. For this ICR, the only required capital is file cabinets for maintaining reports for Universal Wastes. The estimated capital cost is \$1,873. The following table shows the calculations used to arrive at this number:

Cost per cabinet	\$	550.00
Pages per cabinet		16,000
Number of destination pages		96,465
Number of LQHUUW pages		55,245
Total number of pages		151,710
Total number of file cabinets		9
Total cost of file cabinets	\$	4,950.00
Discount factor over 3 years at 7%		2.643
Total cost per year	\$	1,872.87

(iii) *Operating/Maintenance Costs* - 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 (49 cents postage, 10 cents per envelope). The O&M costs for the Universal Wastes is \$1,604, for Mixed Wastes is \$954, and for Used Oil is \$10,011,392. The reason the Used Oil O&M costs are so high is because of the cost of the halogen test, which is \$5.71 per test.

### 6(c)(1) Estimating Federal Agency Burden and Costs

EPA estimates an average hourly labor cost of \$87.42 for legal staff (GS15, Step 5), \$77.14 for managerial staff (GS-15, Step 1), \$55.50 for technical staff (GS-13, Step 1), and \$23.68 for clerical staff

(GS-06, Step 1). To derive these hourly estimates, EPA referred to the General Schedule (GS) Salary Table 2011. This publication summarizes the unloaded (base) hourly rate for various labor categories in the Federal Government. EPA then applied the standard government overhead factor of 1.6 to the unloaded rate to derive loaded hourly rates.

Only 6% of the burden and costs associated with this ICR are Federal Agency burden, the rest is administered by U.S. States and Territories.

### **6(c)(2) Estimating State Agency Burden and Costs**

EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$57.54 for legal staff, \$54.02 for managerial staff, \$32.32 for technical staff, and \$20.62 for clerical staff. These State agency labor costs were obtained from the previously approved ICR and updated to 2014 levels using Employment Cost Indexes developed by the U.S. Bureau of Labor Statistics.

### **6(d)(1) Estimating the Respondent Universe for Universal Waste**

The Universal Waste management system covers handlers of hazardous waste batteries, pesticides, mercury-containing equipment, and lamps. Hazardous waste batteries consist of sealed nickel-cadmium (n-c) batteries, vented n-c batteries, and mercuric oxide batteries. Hazardous waste pesticides consist of pesticides that are recalled by a manufacturer, and unused pesticides that are collected and managed as part of a waste pesticide collection and disposal program administered or recognized by a state. Hazardous waste mercury-containing equipment consists of thermostats, barometers, manometers, and mercury switches such as light switches in automobiles. Hazardous waste lamps consist of the bulb or tube portion of an electric lighting device, such as fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps.

#### **A. Reading the Regulations**

EPA expects that all Universal Waste handlers and destination facilities will spend 0.5 hours each year reading the applicable regulations.

#### **B. Notification**

All LQHUs are required to send to EPA a written notification of Universal Waste management under section 273.32. However, the following LQHUs do not need to notify: (1) a LQHU that has already notified EPA of its hazardous waste activities and received an EPA Identification Number; and (2) a LQHU of exclusively recalled Universal Waste pesticides that has sent notification to EPA required under FIFRA section 19(b) and 6(b). EPA estimates that 20 percent of LQHUs need to notify EPA of their activities each year.

#### **C. Labeling/Marking**

All SQHUs and LQHUs must label or mark their Universal Waste for identification purposes. EPA expects that all SQHUs and LQHUs label or mark containers, tanks, and transport vehicles used to store Universal Waste. Handlers are not expected to mark each individual piece of Universal Waste but rather accumulate them in clearly marked containers and vehicles, thus minimizing the recordkeeping burden.

#### **D. Storage Time Limits**

EPA expects all handlers subject to the Universal Waste management system to keep records under sections 273.15 and 273.35 that demonstrate how long their waste has been stored. EPA estimates that 80 percent of handlers make this demonstration by labeling storage containers or storage areas with the earliest date that Universal Waste became a waste or was received. EPA estimates that the other 20 percent of facilities use a standard business practice to account for storage time; these facilities therefore are not burdened in this ICR.

E. Off-Site Shipments

All SQHUWs, LQHUWs, and destination facilities are required to notify an originating handler if a Universal Waste shipment is rejected. (See Table 3 for the estimated number of total shipments sent and received by Universal Waste handlers.) EPA estimates that 0.5 percent of all shipments received by SQHUWs, LQHUWs, and destination facilities are rejected.

All SQHUWs, LQHUWs, and destination facilities also are required to notify EPA if they receive a shipment containing hazardous waste that is not a Universal Waste. EPA estimates that 0.25 percent of all shipments received are illegal shipments.

F. Responses

Responses are calculated from the number of shipments shipped and received.

**Table 1**  
**Estimated Annual Number of Universal Waste Shipments and Responses**

Facility Type	Number	Shipments per Handler	Number of Shipments	Number of Responses
SQHUWs	116,733	1	116,733	116,733
LQHUWs	11,545	2	23,090	23,090
Destination Facilities	342	3	1,026	1,026
<b>Total</b>	<b>128,620</b>	<b>n/a</b>	<b>140,849</b>	<b>140,849</b>

G. Tracking Shipments

Table 1 presents the estimated number of Universal Waste shipments each year. LQHUWs and destination facilities are required under sections 273.39(a) and 273.62(a) to keep records of each shipment of Universal Waste received. EPA estimates that 75 percent of all Universal Waste shipments are received by destination facilities, with the remaining 25 percent received by LQHUWs for consolidation and eventual shipment.

LQHUWs also are required under section 273.39(b) to keep records of each Universal Waste shipment sent off-site to another facility.

H. Petitions to Include Other Wastes under 40 CFR Part 273

EPA expects that each year, one organization will prepare and submit a petition supporting regulation under Part 273 for a waste or waste category.

All the respondent burden associated with the Universal Waste requirements is summarized in Exhibit 2.

## **6(d)(2) Estimating the Respondent Universe for Mixed Waste**

### **A. Storage and Treatment Conditional Exemption**

According to the 2013 Hazardous Waste Report<sup>1</sup>, 488 handlers claimed to have generated mixed waste. EPA assumes that these respondents will read the regulations for the Storage and Treatment Conditional Exemption once during the three-year life of the ICR. 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 163 respondents (i.e., 488 respondents / 3 years), on average, will read the regulations each year.

The conditions in section 266.230 include preparing and submitting a notification to EPA or the Authorized State claiming the exemption and preparing a certification that all facility personnel have been appropriately trained. EPA estimates that 163 sites will perform these activities each year during the three-year period covered by this ICR. (Note that EPA expects that facilities claiming the exemption for more than one storage unit would submit a single notification for all units, as opposed to a separate notification for each unit.)

In addition, these facilities also must inventory their conditionally exempt LLMW at least annually, inspect the conditionally exempt LLMW at least quarterly (488 sites \* 4 inspections = 1,952 inspections annually), and document the findings of these efforts. Finally, they must maintain, on site, a copy of an emergency plan and provide it to local authorities. Note that licensees are already subject to existing inspection, inventory, and emergency preparedness and contingency planning requirements under the NRC regulations. EPA therefore does not expect licensees to see much additional incremental burden from the storage exemption for these activities

Licensees would lose the exemption if their LLMW failed to satisfy any of the conditions listed at section 266.230. Based on its best judgment, EPA estimates that, each year, five percent of licensees (488 sites \* 0.05 = 24 sites) would need to report to EPA or the Authorized State their failure to meet a condition. Of these, an estimated one percent (24 sites \* 0.01 = 0 sites) would need to telephone EPA and follow up with a written report, informing the Agency of a threat to human health or the environment.

Licensees that lose the exemption for their LLMW must notify EPA or the Authorized State to reclaim the exemption. EPA estimates that all of the licensees losing the exemption each year (24 sites) will provide notice to EPA or the Authorized State that they are reclaiming the exemption.

These assumptions are reflected in Exhibit 3.

### **B. Transportation and Disposal Conditional Exemption**

Based on an analysis of the *National Profile on Commercially Generated Low-Level Radioactive Mixed Waste* (National Profile)<sup>2,3</sup>, EPA estimates that about 46 licensed nuclear power reactors

1 Data current as of December 15, 2014.

2 Klein, J.A., J.E. Mrochek, R.L. Jolley, I.W. Osborne-Lee, A.A. Francis and T. Wright, *National Profile on Commercially Generated Low-Level Radioactive Mixed Waste*, Oak Ridge Laboratory, prepared for the U.S. Nuclear Regulatory Commission and the U.S. Environmental Protection Agency, December 1992.

3 This is the most recent available data on commercially generated LLMW. Refer to

in the U.S. generate listed LLMW and would treat it on site and claim the disposal exemption. EPA also estimates that four commercial mixed waste treatment facilities would claim the disposal exemption for their treated eligible mixed waste.<sup>4</sup> In total, EPA estimates that about 50 licensees would claim the disposal exemption. Each of these licensees is expected to read the regulations once over the three-year life of this ICR (i.e., 50 sites / 3 years = 17 sites per year).

For the purposes of this analysis, EPA assumes that no other licensee generators would claim the exemption. Rather, these licensees would send their eligible waste to a commercial mixed waste treater in compliance with the full RCRA regulations, as applicable

As required by section 266.345(a), licensees must submit a one-time notice to EPA or the Authorized State stating that they are claiming the exemption prior to the initial shipment of an exempted waste to the LLRWDF. This ICR estimates that 17 licensees will submit a notification to EPA or the Authorized State each year.

Further, licensees also must submit a notification to the LLRWDF prior to each shipment of exempted waste. Based on its best professional judgment, EPA assumes that each of the 46 nuclear power reactors qualifies as a RCRA large quantity generator (i.e., for their eligible mixed waste and other hazardous wastes generated). EPA estimates these reactors would send, on average, four shipments of exempted waste offsite each year (i.e., once every 90 days). In total, EPA estimates these nuclear reactors would make about 184 shipments in total each year (i.e., 46 nuclear power reactors x 4 shipments/reactor). In addition, EPA estimates that the four commercial mixed waste treatment facilities will each send one shipment of exempted waste to the LLRWDF each year (4 shipments per year). That is, EPA expects these facilities to store their treated waste on site during the year in order to minimize the number of shipments to the LLRWDF. In total, EPA estimates that these generator and treater licensees would make 188 shipments of exempted waste annually and that they would therefore need to prepare and submit 188 notifications to LLRWDFs annually.

Note that once the eligible mixed waste is placed on the truck en route to the LLRWDF, it exits RCRA Subtitle C regulation. The licensees need not prepare a RCRA manifest for the shipment; however, they must transmit the NRC Uniform LLW Manifest (not burdened in this ICR).

Any waste will automatically lose its exemption if it is not managed in accordance with all of the applicable conditions specified in section 266.315. EPA or the Authorized State may conduct inspections and audits of the generator of the waste and any other person claiming the exemption. If the claimant fails to satisfy any of the specified conditions, the conditional exemption would be void. The claimant must notify EPA or the Authorized State of the failure within 30 days from the date when the failure becomes known. Based on its best professional judgment, EPA estimates that, each year, about five percent of licensees (50 sites \* 0.05 = 3 sites) would submit this notification. Of these, an estimated one percent (3 sites\*0.01 = 0 sites) would need to telephone EPA or the Authorized State and follow up with a report because the failure threatens human health or the environment.

Licensees may regain the exempt status for their eligible waste, as provided by section 266.360. Licensees must notify EPA or the Authorized State that they are re-claiming the exemption. EPA estimates that all of the licensees that lose an exemption (3 sites annually) would apply to have their exemption reinstated.

Licensees claiming the exemption must maintain records as specified at section 266.350 (e.g., copy of notifications, return receipts). EPA estimates that each of the 50 licensees claiming the exemption would need to keep and update these records annually.

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[http://www.epa.gov/rpdweb00/mixed-waste/nat\\_prof.html](http://www.epa.gov/rpdweb00/mixed-waste/nat_prof.html), last accessed on January 20, 2015.

4 The four commercial treatment facilities include EnergySolutions' Clive, DSSI, Perma-Fix of Florida, and NSSI.

All the respondent burden associated with Mixed Waste exemptions is summarized in Exhibit 4.

**6(d)(3) Estimating the Respondent Universe for Used Oil**

Based on an analysis of readily available data, EPA estimates that 379 used oil transporters and transfer facilities will be subject to the information collection requirements in part 279, subpart E during the three-year period of this ICR.

In addition, based on previous consultations with industry representatives, EPA estimates that 150 used oil processors/re-refiners, on average, will be subject to the information collection requirements in part 279, subpart F during the three-year period of this ICR. EPA also estimates that 750 used oil burners will be subject to the information collection requirements in part 279, subpart G.

EPA further estimates that 340 used oil fuel marketers are subject to the information collection requirements in part 279, subpart H.

Table 2 shows the estimated number of used oil handlers subject to the information collection requirements covered in this ICR.

**Table 2  
Number of Respondents Subject to the Used Oil Requirements**

<b>Type of Respondent</b>	<b>Number of Respondents</b>
Used oil transporters and transfer facilities	3,503
Used oil processors and re-refiners	658
Burners of off-specification used oil	903
Used oil fuel marketers	1,698
<b>Total</b>	<b>5,430*</b>

\*Total number of respondents is not equal to the sum of the various types of respondents because some facilities may conduct more than one activity (e.g., a facility may be a used oil transporter and a used oil fuel marketer).

All the respondent burden associated with the Used Oil Management Standards is summarized in Exhibit 10.

**6(e) Bottom Line Burden Hours and Costs**

**(i) *Respondent Tally***

Table 3 summarizes all the annual respondent burden in hours and cost for this ICR.

**Table 3  
Summary of Annual Respondent Bottom Line Hours and Costs**

	<b>Universal Waste</b>	<b>Mixed Waste</b>	<b>Used Oil</b>	<b>Total</b>
<b>Number of respondents</b>	128,620	180	5,430	134,230
<b>Total annual responses</b>	140,849	4,231	6,762	151,842
<b>Total annual hours for reporting</b>	199,832	325	457,744	657,901
<b>Total annual hours for recordkeeping</b>	15,172	141	2,542	17,855
<b>Total annualized capital/startup costs</b>	\$1,873	\$0	\$0	\$1,873
<b>Total annual O&amp;M costs</b>	\$1,604	\$954	\$10,011,392	\$10,013,950

**(ii) State Agency Tally**

Exhibits 11 through 13 show the calculations for the total annual State Agency burden and costs associated with this ICR. For the Universal Waste requirements, EPA estimates an annual State Agency burden of 3,277 hours and a cost of \$122,947. For the Mixed Waste exemptions, EPA estimates an annual State Agency burden of 17 hours and a cost of \$876. For the Used Oil Management Standards, EPA estimates an annual State Agency burden of 304 hours and a cost of \$16,705. The total annual State Agency burden for this ICR is therefore 3,598 hours and \$140,527.

**(iii) Federal Tally**

Most States have assumed the programs covered by this ICR, however, 6% of the total universe is still administered by EPA Regions. The total burden to the Federal government is estimated at \$4,000.

	Universal Waste	Mixed Waste	Used Oil	Total
O&M/Capital/Startup Costs	\$3,477	\$954	\$10,011,392	\$10,015,823
Private Labor Cost	\$11,896,866	\$23,460	\$22,661,276	\$34,581,602
State Labor Cost	\$122,947	\$876	\$16,704	\$140,527
<b>Total</b>	<b>\$12,023,290</b>	<b>\$25,290</b>	<b>\$32,689,372</b>	<b>\$44,737,952</b>

**6(f) Reasons for Change in Burden**

There is an increase of 28,189 hours in the total annual hourly burden. The increase is due to updating the current universe estimates based on the most recent data. The biggest increase being in the number of Universal Waste and Mixed Waste respondents.

**6(g) Burden Statement**

The annual public reporting burden for this collection of information is estimated to average 4.5 hours per response. The total public recordkeeping burden for the Universal Waste requirements is estimated to average 0.2 hours per response.

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 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-2014-0694, 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), WJC 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](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-2014-0694 and OMB Control Number 2050-0145 in any correspondence.



EXHIBIT 1  
 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE HANDLERS AND DESTINATION FACILITIES  
 ANNUAL ESTIMATED RESPONDENT BURDEN AND COST

	Hours and Costs Per Respondent Per Activity						Total Hours and Costs		
	Legal @ \$129.82/hr	Manager @ \$76.73/hr	Technical @ \$57.16/hr	Clerical @ \$34.39/hr	O&M Costs Postage/ Shipping @ \$0.49/doc	Cost per Respondent or Activity	Number of Respondents or Activities	Total Hours per Year	Total Cost per Year
<b>READING THE REGULATIONS</b>									
Read the Universal Waste Regulations									
SQHUs	0.10	0.17	0.25	0.00	\$0.00	\$40.32	116,733	60,701	\$4,706,675
LQHUs	0.10	0.17	0.25	0.00	\$0.00	\$40.32	11,545	6,003	\$465,494
Destination facilities	0.10	0.17	0.25	0.00	\$0.00	\$40.32	342	178	\$13,789
<b>SUBTOTAL</b>	<b>0.10</b>	<b>0.17</b>	<b>0.25</b>	<b>0.00</b>	<b>\$0.00</b>	<b>\$40.32</b>	<b>128,620</b>	<b>66,882</b>	<b>\$5,185,958</b>
<b>NOTIFICATION (273.32)</b>									
Prepare written notification of universal waste management									
LQHUs	0.00	1.00	0.50	0.75	\$0.00	\$131.10	2,309	5,195	\$302,710
Submit written notification of universal waste management									
LQHUs	0.00	0.00	0.00	0.16	\$0.49	\$5.99	2,309	369	\$13,831
<b>SUBTOTAL</b>	<b>0.00</b>	<b>1.00</b>	<b>0.50</b>	<b>0.91</b>	<b>\$0.49</b>	<b>\$137.09</b>	<b>2,309</b>	<b>5,564</b>	<b>\$316,541</b>
<b>LABELING/MARKING (273.14 and 273.34)</b>									
Label or mark the universal waste or storage container to identify the type of universal waste									
SQHUs	0.00	0.00	0.25	0.25	\$0.00	\$22.89	116,733	58,367	\$2,672,018
LQHUs	0.00	0.00	0.50	0.50	\$0.00	\$45.78	11,545	11,545	\$528,530
<b>SUBTOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>varies</b>	<b>varies</b>	<b>\$0.00</b>	<b>varies</b>	<b>varies</b>	<b>69,912</b>	<b>\$3,200,548</b>
<b>STORAGE TIME LIMITS(273.15 and 273.35)</b>									
Mark or label storage container or area used to store universal waste with the date the waste was received or became a waste									
SQHUs	0.00	0.00	0.25	0.25	\$0.00	\$22.89	93,386	46,693	\$2,137,606
LQHUs	0.00	0.00	0.50	0.50	\$0.00	\$45.78	9,236	9,236	\$422,824
<b>SUBTOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>varies</b>	<b>varies</b>	<b>\$0.00</b>	<b>varies</b>	<b>varies</b>	<b>55,929</b>	<b>\$2,560,430</b>
<b>OFF-SITE SHIPMENTS (273.18,273.36, and 273.61)</b>									
Prepare notice to originating handler of rejection of universal waste shipment									
SQHUs and LQHUs	0.00	0.25	0.25	0.15	\$0.00	\$38.63	161	105	\$6,219
Destination Facilities	0.00	0.25	0.25	0.15	\$0.00	\$38.63	482	313	\$18,620
Submit notice to originating handler of rejection of universal waste shipment									
SQHUs and LQHUs	0.00	0.00	0.00	0.16	\$0.49	\$5.99	161	26	\$964
Destination Facilities	0.00	0.00	0.00	0.16	\$0.49	\$5.99	482	77	\$2,887
Prepare notice to EPA of illegal waste shipments									
SQHUs and LQHUs	1.00	0.50	0.50	0.25	\$0.00	\$205.36	80	180	\$16,429
Destination Facilities	1.00	0.50	0.50	0.25	\$0.00	\$205.36	241	542	\$49,492
Submit notice to EPA of illegal waste shipments									
SQHUs and LQHUs	0.00	0.00	0.00	0.16	\$0.49	\$5.99	80	13	\$479
Destination Facilities	0.00	0.00	0.00	0.16	\$0.49	\$5.99	241	39	\$1,444
<b>SUBTOTAL</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>1,295</b>	<b>\$96,534</b>

TRACKING UNIVERSAL WASTE SHIPMENTS (273.39 and 273.62)									
Keep a record of each shipment of universal waste received									
LQHUWs	0.00	0.00	0.00	0.10	\$0.00	\$3.44	32,155	3,216	\$110,613
Destination Facilities	0.00	0.00	0.00	0.10	\$0.00	\$3.44	96,465	9,647	\$331,840
Keep a record of each shipment of universal waste sent to other facilities									
LQHUWs	0.00	0.00	0.00	0.10	\$0.00	\$3.44	23,090	2,309	\$79,430
SUBTOTAL	0.00	0.00	0.00	0.10	\$0.00	varies	varies	15,172	\$521,883
PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273 (273.80 and 278.81)									
Prepare a petition supporting regulation under Part 273 for a waste or waste category	30.00	40.00	150.00	30.00	\$0.00	\$16,569.50	1	250	\$16,570
Submit a petition supporting regulation under Part 273 for a waste or waste category	0.00	0.00	0.00	0.16	\$0.49	\$5.99	1	0.16	\$6
SUBTOTAL	30.00	40.00	150.00	30.16	\$0.49	\$16,575.49	1	250	\$16,576
TOTAL	varies	varies	varies	varies	varies	varies	varies	215,004	\$11,898,470

EXHIBIT 2  
 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE  
 HANDLERS AND DESTINATION FACILITIES  
 ANNUAL RESPONDENT BURDEN AND COST SUMMARY

Respondent Type	Total Hours	Labor Costs	Capital Costs	O&M Costs	Total Costs
SQHUWs	166,056	\$9,538,114.35	---	\$107.46	\$9,538,221.81
LQHUWs	37,902	\$1,924,458.15	---	\$1,142.04	\$1,925,600.19
Destination Facilities	10,796	\$417,717.73	---	\$354.27	\$418,072.00
Petitioners	250	\$16,575.51	---	\$0.49	\$16,576.00
Capital Costs	---	---	\$1,872.87	---	\$1,872.87
<b>TOTAL</b>	<b>215,004</b>	<b>\$11,896,865.74</b>	<b>\$1,872.87</b>	<b>\$1,604.26</b>	<b>\$11,900,342.87</b>

EXHIBIT 3

CONDITIONAL EXEMPTION FOR LOW-LEVEL MIXED WASTE STORAGE AND DISPOSAL

ESTIMATED ANNUAL RESPONDENT BURDEN AND COST

STORAGE AND TREATMENT CONDITIONAL EXEMPTION

	Hours and Costs Per Respondent Per Activity									Total Hours and Costs		
	Leg.	Mgr.	Tech.	Cler.	Respon.	Labor	Capital/			Respon.	Total	Total
	\$129.82/ Hour	\$76.73/ Hour	\$57.16/ Hour	\$34.39/ Hour	Hours/ Year	Cost/ Year	Startup Cost	O & M Cost		or Activities	Hours/ Year	Cost/ Year
<b>INFORMATION COLLECTION ACTIVITY</b>												
<b>Reading the Regulations</b>												
Read the regulations	0.50	0.50	2.00	-	3.00	\$ 193.28	\$ -	\$ -		27	81	\$5,219
<b>Storage and Treatment Conditional Exemption and Eligibility</b>												
Prepare and submit notification of intent to claim exemption (266.230(a))	0.10	0.25	1.00	0.25	1.60	\$ 89.45	\$ -	\$ 3.00		27	43	\$2,496
Prepare certification that facility personnel have been appropriately trained (266.230(b)(3))	-	0.08	0.17	-	0.25	\$ 15.61	\$ -	\$ -		27	7	\$421
Inventory conditionally exempt LLMW and record findings (annually) (266.230(b)(4))	-	-	0.08	-	0.08	\$ 4.44	\$ -	\$ -		83	7	\$369
Conduct compliance inspections of conditionally exempt LLMW and record findings (quarterly) (266.230(b)(4))	-	-	0.08	-	0.08	\$ 4.44	\$ -	\$ -		332	27	\$1,474
Maintain emergency contingency plan on-site and provide it to local authorities (266.230(b)(5))	-	-	-	0.10	0.10	\$ 2.37	\$ -	\$ 1.00		83	8	\$280
<b>Loss of Conditional Exemption</b>												
Prepare and submit written notification of exemption loss (266.240(a)(1))	-	0.25	1.50	0.25	2.00	\$ 108.46	\$ -	\$ 6.00		4	8	\$458
Inform EPA Region or the Authorized State orally of exemption loss with a follow-up written notification in cases of endangerment to human health or the environment (266.240(a)(2))	-	0.25	0.50	-	0.75	\$ 47.04	\$ -	\$ 5.00		-	-	\$0
Prepare and submit notice reclaiming the exemption for LLMW (266.245(a))	-	0.25	4.00	0.75	5.00	\$ 259.05	\$ -	\$ 3.00		4	20	\$1,048
<b>Record Keeping</b>												
Maintain and update records of notifications, return receipts, failure report(s), inventories, inspections, certifications, and emergency plans (266.250)	-	-	-	1.00	1.00	\$ 23.68	\$ -	\$ 1.00		83	83	\$2,048
<b>Subtotal</b>	Varies	Varies	Varies	Varies	Varies	Varies	0	Varies		670	284	\$13,813

**EXHIBIT 4**

**CONDITIONAL EXEMPTION FOR LOW-LEVEL MIXED WASTE STORAGE AND DISPOSAL  
ESTIMATED ANNUAL RESPONDENT BURDEN AND COST  
TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION**

	Hours and Costs Per Respondent Per Activity									Total Hours and Costs		
	Leg.	Mgr.	Tech.	Cler.	Respon.	Labor	Capital/	O & M		Respon.	Total	Total
	\$129.82/ Hour	\$76.73/ Hour	\$57.16/ Hour	\$34.39/ Hour	Hours/ Year	Cost/ Year	Startup Cost	Cost		or Activities	Hours/ Year	Cost/ Year
<b>INFORMATION COLLECTION ACTIVITY</b>												
<b>Reading the Regulations</b>												
Read the regulations	0.50	0.50	2.00	-	3.00	\$ 193.28	\$ -	\$ -		17	51	\$3,286
<b>Notifications</b>												
Prepare and submit notification to EPA or the Authorized State (266.345(a))	0.10	0.25	1.00	0.25	1.60	\$ 89.45	\$ -	\$ 3.00		17	27	\$1,572
Prepare and submit notification to LLRWDF (prior to each shipment of exempted waste) (266.345(b))	-	-	0.25	-	0.25	\$ 13.88	\$ -	\$ 3.00		188	47	\$3,173
<b>Record Keeping</b>												
Copy and maintain exemption records (266.350)	-	-	-	1.00	1.00	\$ 23.68	\$ -	\$ 1.00		50	50	\$1,234
<b>Loss of Conditional Exemption</b>												
Prepare and submit notification of the failure (266.355(a))	0.10	0.25	1.50	0.25	2.10	\$ 117.20	\$ -	\$ 3.00		1	2	\$120
Inform EPA Region or the Authorized State orally of exemption loss with a follow-up notification in cases of endangerment to human health or the environment (266.355(a)(2))	-	0.25	0.50	-	0.75	\$ 47.04	\$ -	\$ 5.00		-	-	\$0
Prepare and submit the notice for reinstatement (266.360(a)(2))	-	0.25	4.00	0.75	5.00	\$ 259.05	\$ -	\$ 3.00		1	5	\$262
<b>Subtotal</b>	Varies	Varies	Varies	Varies	Varies	Varies	0	Varies		274	182	\$9,647

**EXHIBIT 5**

**CONDITIONAL EXEMPTION FOR LOW-LEVEL MIXED WASTE STORAGE AND DISPOSAL  
TOTAL ESTIMATED ANNUAL RESPONDENT BURDEN AND COST SUMMARY**

Exhibit	Title	Annual Activities	Annual Hourly Burden	Annual Labor Cost	Annual Capital/Startup Cost	Annual O&M Cost	Total Annual Cost
Exhibit 3	Storage and Treatment Conditional Exemption	670	284	\$13,813	\$0	\$283	\$14,096
Exhibit 4	Transportation and Disposal Conditional Exemption	274	182	\$9,647	\$0	\$671	\$10,318
<b>Annual Total</b>		944	466	\$23,460	\$0	\$954	\$24,414

**Exhibit 6**

**Used Oil Management Standards**

**Estimated Respondent Hour and Cost Burden**

	Hours and Cost per Respondent							Total Hours and Costs		
	Managerial	Technical	Clerical	Respondent	Labor Cost	Capital/	O&M Costs	Number of	Total	Total
	@ \$76.73/Hr	@ \$57.16/Hr	\$34.39/Hr	Hours		Startup Costs		Respondents/	Hours/Year	Costs/Year
INFORMATION COLLECTION ACTIVITY										
<b>Used Oil Transporters and Transfer Facilities</b>										
<b>Reading the Regulations</b>										
Read the regulations	2.00	150	0.00	3.50	\$239.05	\$0.00	\$0.00	379	1326.50	\$90,599.95
<b>Used Oil Discharges (§ 279.43(c))</b>										
Notify local authorities of the used oil discharge	0.25	100	0.00	125	\$76.24	\$0.00	\$0.00	4	5.00	\$304.96
<b>Rebuttable Presumption for Used Oil (§279.44)</b>										
Determine whether the total halo gen content of used oil being transported or stored at a transfer facility is above or below 1000 ppm	0.00	0.10	0.00	0.10	\$5.71	\$0.00	\$5.70	1,755,907	175,590.70	\$20,034,898.87
Rebut the hazardous waste presumption by demonstrating that the used oil does not contain hazardous waste, if desired	150	8.00	0.50	10.00	\$588.77	\$0.00	\$0.00	0	0.00	\$0.00
Maintain records of analyses conducted or information used to demonstrate compliance with the rebuttable presumption for used oil for at least three years	0.00	0.00	0.01	0.01	\$0.34	\$0.00	\$0.00	1,755,907	17,559.07	\$597,008.38
								<b>Subtotal</b>	<b>193,149.77</b>	<b>\$20,631,907.25</b>
<b>Tracking (§ 279.46)</b>										
Prepare and maintain, for at least three years, a record of each used oil shipment accepted for transport	0.00	0.03	0.05	0.08	\$3.50	\$0.00	\$0.00	1516,000	124,312.00	\$5,306,000.00
Prepare and maintain, for at least three years, a record of each used oil shipment delivered to another used oil transporter, or to a used oil burner, processor/re-refiner, or disposal facility	0.00	0.03	0.05	0.08	\$3.50	\$0.00	\$0.00	200,870	16,471.34	\$703,045.00
Prepare and maintain, for at least three years, a record of each used oil shipment exported to any foreign country	0.00	0.03	0.05	0.08	\$3.50	\$0.00	\$0.00	1500	123.00	\$5,250.00
								<b>Subtotal</b>	<b>140,906.34</b>	<b>\$6,014,295.00</b>
								<b>TOTAL</b>	<b>335,387.61</b>	<b>\$26,737,107.16</b>



<b>Exhibit 7</b>										
<b>Used Oil Management Standards</b>										
<b>Estimated Respondent Hour and Cost Burden</b>										
	Hours and Cost per Respondent							Total Hours and Costs		
	Managerial @ \$76.73/Hr	Technical @ \$57.16/Hr	Clerical \$34.39/Hr	Respondent Hours	Labor Cost	Capital/ Startup Costs	O&M Costs	Number of Respondents/ Activity	Total Hours/Year	Total Costs/Year
<b>INFORMATION COLLECTION ACTIVITY</b>										
<b>Used Oil Processors and Re-Refiners</b>										
<b>Reading the Regulations</b>										
Read the regulations	6.67	6.83	0.00	13.50	\$90151	\$0.00	\$0.00	150	2,025.00	\$135,226.50
<b>Arrangements with State and Local Authorities (§279.52(a)(6))</b>										
Document in the operating record any case in which a State or local authority declines to enter into an arrangement	0.25	100	0.50	1.75	\$93.44	\$0.00	\$0.00	0	0.00	\$0.00
<b>Contingency Plan (§279.52(b)(1)-(4))</b>										
Collect information necessary to develop the contingency plan	0.00	4.00	0.00	4.00	\$228.24	\$0.00	\$0.00	2	8.00	\$456.48
Develop and maintain the contingency plan	0.50	10.00	0.00	10.50	\$608.97	\$0.00	\$0.00	2	21.00	\$1217.94
Submit a copy of the contingency plan to all State and local authorities	0.00	0.00	0.25	0.25	\$8.60	\$0.00	\$3.95	2	0.50	\$25.10
Review and amend the contingency plan, as necessary	2.60	3.20	0.70	6.50	\$406.16	\$0.00	\$0.00	2	13.00	\$812.32
								<b>Subtotal</b>	42.50	\$2,511.84
<b>Emergency Procedures (§279.52(b)(6))</b>										
Notify the appropriate State and local agencies of an imminent or actual emergency situation	0.25	0.00	0.00	0.25	\$19.18	\$0.00	\$0.00	2	0.50	\$38.36
Collect information necessary for an emergency report	0.00	100	0.00	100	\$57.06	\$0.00	\$0.00	2	2.00	\$114.12
Notify the appropriate local authorities, if the hazards assessment indicates that evacuation of local areas may be advisable	0.25	0.00	0.00	0.25	\$19.18	\$0.00	\$0.00	2	0.50	\$38.36
Submit an emergency report to either the OSC or the NRC	0.25	0.00	0.00	0.25	\$19.18	\$0.00	\$0.00	2	0.50	\$38.36
Compile information that demonstrates that the facility is in compliance with §§279.52(b)(6)(viii)(A) and (B)	0.00	100	0.00	100	\$57.06	\$0.00	\$0.00	2	2.00	\$114.12
Prepare and submit notification demonstrating compliance to EPA and local authorities	0.25	100	0.00	1.25	\$76.24	\$0.00	\$0.49	2	2.50	\$153.46
Note in the operating record the time, date, and details of the emergency incident	0.00	0.50	0.00	0.50	\$28.53	\$0.00	\$0.00	2	1.00	\$57.06
Collect information required in the written report on the emergency incident	0.00	100	0.50	1.50	\$74.26	\$0.00	\$0.00	2	3.00	\$148.52
Prepare and submit to EPA the written report on the emergency incident, within 15 days after the emergency incident	0.25	4.00	0.50	4.75	\$264.62	\$0.00	\$3.95	2	9.50	\$537.14
								<b>Subtotal</b>	21.50	\$1,239.50

<b>Exhibit 7 (continued)</b>										
<b>Used Oil Management Standards</b>										
<b>Estimated Respondent Hour and Cost Burden</b>										
	Hours and Cost per Respondent							Total Hours and Costs		
	Managerial @ \$76.73/Hr	Technical @ \$57.16/Hr	Clerical \$34.39/Hr	Respondent Hours	Labor Cost	Capital/ Startup Costs	O&M Costs	Number of Respondents/ Activity	Total Hours/Year	Total Costs/Year
<b>INFORMATION COLLECTION ACTIVITY</b>										
<b>Used Oil Processors and Re-Refiners</b>										
<b>Closure of Aboveground Tanks (§ 279.54(h)(1)(ii))</b>										
P repare and submit to EPA a demonstration demonstrating that not all contaminated soils can be practicably removed or decontaminated as required by § 279.54(h)(1)(i), if applicable	2.00	40.00	0.50	42.50	\$2,453.06	\$0.00	\$3.95	1	42.50	\$2,457.01
<b>Analysis Plan (§ 279.55)</b>										
Develop a written analysis plan describing the procedures that will be used to comply with the analysis requirements of § 279.53 and, if applicable, § 279.72	0.25	4.00	0.00	4.25	\$247.42	\$0.00	\$0.00	2	8.50	\$494.84
Follow the analysis plan	2.38	140	190	5.68	\$327.84	\$0.00	\$0.00	150	852.00	\$49,176.00
M aintain the analysis plan at the facility	0.00	0.00	0.02	0.02	\$0.69	\$0.00	\$0.00	150	3.00	\$103.50
								<b>Subtotal</b>	863.50	\$49,774.34
<b>Tracking (§ 279.56)</b>										
P repare and maintain, for at least three year, a record of each used oil shipment accepted for processing/re-refining	0.00	0.03	0.06	0.09	\$3.78	\$0.00	\$0.00	187,350	16,861.50	\$708,183.00
P repare and maintain, for at least three years, a record of each used oil shipment that is shipped to a used oil burner, processor/re-refiner, or disposal facility	0.00	0.03	0.06	0.09	\$3.78	\$0.00	\$0.00	300,000	27,000.00	\$1,134,000.00
								<b>Subtotal</b>	43,861.50	\$1,842,183.00
<b>Operating Record (§ 279.57(a))</b>										
As information becomes available, record in the operating record the results of used oil analyses performed as described in the analysis plan required under § 279.55 and summary reports and details of all emergency incidents as specified in § 279.52(b)	40.25	0.00	30.65	70.90	\$4,142.44	\$0.00	\$0.00	150	10,635.00	\$621,366.00
<b>Reporting (§ 279.57(b))</b>										
P repare and submit to EPA a biennial report (by M arch 1of each even numbered year) co ncerning used oil activities during the previous calendar year	135	0.88	2.80	5.03	\$250.09	\$0.00	\$3.95	100	503.00	\$25,404.00
								<b>TOTAL</b>	<b>57,994.50</b>	<b>\$2,680,162.19</b>

Exhibit 8										
Used Oil Management Standards										
Estimated Respondent Hour and Cost Burden										
	Hours and Cost per Respondent							Total Hours and Costs		
	Managerial @ \$76.73/Hr	Technical @ \$57.16/Hr	Clerical \$34.39/Hr	Respondent Hours	Labor Cost	Capital/ Startup Costs	O&M Costs	Number of Respondents/ Activity	Total Hours/Year	Total Costs/Year
INFORMATION COLLECTION ACTIVITY										
<b>Used Oil Burners Who Burn Off-Specification Used Oil for Energy Recovery</b>										
<b>Reading the Regulations</b>										
Read the regulations	0.00	13.00	0.00	13.00	\$741.78	\$0.00	\$0.00	750	9,750.00	\$556,335.00
<b>Rebuttable Presumption for Used Oil (§279.63)</b>										
Determine whether the total halogen content of used oil managed at the facility is above or below 1000 ppm	0.00	0.10	0.00	0.10	\$5.71	\$0.00	\$5.70	0	0.00	\$0.00
If the used oil contains greater than or equal to 1000 ppm total halogens, rebut the hazardous waste presumption by demonstrating that the used oil does not contain hazardous waste, if desired	150	8.00	0.50	10.00	\$588.77	\$0.00	\$0.00	0	0.00	\$0.00
Maintain records of analyses conducted or information used to demonstrate compliance with the rebuttable presumption for used oil for at least three years	0.00	0.00	0.02	0.02	\$0.69	\$0.00	\$0.00	750	15.00	\$517.50
								<b>Subtotal</b>	<b>15.00</b>	<b>\$517.50</b>
<b>Tracking (§279.65)</b>										
Prepare and maintain, for at least three year, a record of each used oil shipment accepted for burning	0.03	0.08	0.03	0.14	\$7.90	\$0.00	\$0.00	13,500	1890.00	\$106,650.00
<b>Notices (§279.66(a))</b>										
Provide a one-time written and signed certification to each generator, transporter, or processor/refiner who ships used oil to the burner	0.10	0.00	0.00	0.10	\$7.67	\$0.00	\$0.49	750	75.00	\$6,120.00
Maintain the certification for three years after the date the burner last receives a used oil shipment from that generator, transporter, or processor/re-refiner	0.82	0.00	0.01	0.83	\$63.26	\$0.00	\$0.00	750	622.50	\$47,445.00
								<b>Subtotal</b>	<b>697.50</b>	<b>\$53,565.00</b>
								<b>TOTAL</b>	<b>12,352.50</b>	<b>\$717,067.50</b>

**Exhibit 9**

**Used Oil Management Standards**

**Estimated Respondent Hour and Cost Burden**

	Hours and Cost per Respondent							Total Hours and Costs		
	Managerial @ \$76.73/Hr	Technical @ \$57.16/Hr	Clerical \$34.39/Hr	Respondent Hours	Labor Cost	Capital/ Startup Costs	O&M Costs	Number of Respondents/ Activity	Total Hours/Year	Total Costs/Year
<b>INFORMATION COLLECTION ACTIVITY</b>										
<b>Used Oil Fuel Marketers</b>										
<b>Reading the Regulations</b>										
Read the regulations	0.25	0.50	0.00	0.75	\$47.71	\$0.00	\$0.00	340	255.00	\$16,221.40
<b>Analysis of On-Specification Used Oil Fuel (§279.72(a))</b>										
Perform used oil analyses or obtain copies of analyses or other information documenting that the used oil fuel meets the specifications under §279.11	3.20	78.50	73.23	154.93	\$7,243.13	\$0.00	\$5.70	340	52,676.20	\$2,464,602.20
Retain copies of analyses or other information used to make the on-specification used oil fuel determination for three years	0.00	0.00	0.02	0.02	\$0.69	\$0.00	\$0.00	340	6.80	\$234.60
								<b>Subtotal</b>	<b>52,683.00</b>	<b>\$2,464,836.80</b>
<b>Tracking (§279.74(a)-(b))</b>										
Prepare and maintain, for at least three years, a record of each shipment of off-specification used oil fuel shipped to a burner	0.00	0.03	0.06	0.09	\$3.78	\$0.00	\$0.00	0	0.00	\$0.00
Prepare and maintain, for at least three years, a record of each shipment of on-specification used oil fuel shipped to an on-specification used oil burner	0.00	0.03	0.06	0.09	\$3.78	\$0.00	\$0.00	0	0.00	\$0.00
								<b>Subtotal</b>	<b>0.00</b>	<b>\$0.00</b>
<b>Notices (§279.75(a))</b>										
Obtain a one-time written and signed certification from the burner	0.00	0.24	4.48	4.72	\$167.76	\$0.00	\$0.00	340	1604.80	\$57,038.40
Maintain the certification for three years from the date the last shipment of off-specification used oil is shipped to the burner	0.00	0.00	0.02	0.02	\$0.69	\$0.00	\$0.00	340	6.80	\$234.60
								<b>Subtotal</b>	<b>1611.60</b>	<b>\$57,273.00</b>
								<b>TOTAL</b>	<b>54,549.60</b>	<b>\$2,538,331.20</b>

<b>Exhibit 10</b>					
<b>Used Oil Management Standards</b>					
<b>Summary of Respondent Hour and Cost Burden</b>					
<b>Type of Respondent</b>	<b>Total Hours</b>	<b>Total Labor Costs</b>	<b>Total Capital Costs</b>	<b>Total O&amp;M Costs</b>	<b>Total Costs</b>
Used oil transporters and transfer facilities	335,388	\$ 16,728,437	\$ 0	\$ 10,008,670	\$ 26,737,107
Used oil processors and re-refiners	57,995	\$ 2,679,746	\$ 0	\$ 416	\$ 2,680,162
Used oil burners who burn off-specification used oil for energy recovery	12,353	\$ 716,700	\$ 0	\$ 368	\$ 717,068
Used oil fuel marketers	54,550	\$ 2,536,393	\$ 0	\$ 1,938	\$ 2,538,331
<b>TOTAL</b>	<b>460,286</b>	<b>\$ 22,661,276</b>	<b>\$ 0</b>	<b>\$ 10,011,392</b>	<b>\$ 32,672,668</b>

EXHIBIT 11  
 REPORTING AND RECORDKEEPING REQUIREMENTS FOR UNIVERSAL WASTE  
 ANNUAL ESTIMATED STATE AGENCY BURDEN AND COST

	Hours and Costs Per Respondent Per Activity						Total Hours and Costs		
	Legal @ \$60.57/hr	Managerial @ \$56.86/hr	Technical @ \$34.02/hr	Clerical @ \$21.70/hr	O&M Costs Post/Shipping @ \$0.49/doc	Respondent or Activity	Respondents or Activities	Total Hours per Year	Total Cost per Year
<b>NOTIFICATION (273.62)</b>									
Review notification for completeness and accuracy									
LQHUs	0.00	0.00	0.25	0.00	\$0.00	\$8.51	2,309	577	\$19,650
Issue EPA ID number to LQHUW									
LQHUs	0.00	0.00	0.00	0.25	\$0.00	\$5.43	2,309	577	\$12,538
Enter information into Database									
LQHUs	0.00	0.00	0.00	0.25	\$0.00	\$5.43	2,309	577	\$12,538
<b>SUBTOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.25</b>	<b>0.50</b>	<b>\$0.00</b>	<b>\$19.37</b>	<b>2,309</b>	<b>1,731</b>	<b>\$44,726</b>
<b>OFF SITE SHIPMENTS (273.18, 273.36, and 273.61)</b>									
Review and file notice of illegal shipment									
LQHUs	2.00	1.00	1.00	0.25	\$0.00	\$217.45	80	340	\$17,396
Destination Facilities	2.00	1.00	1.00	0.25	\$0.00	\$217.45	241	1,024	\$52,405
<b>SUBTOTAL</b>	<b>2.00</b>	<b>1.00</b>	<b>1.00</b>	<b>0.25</b>	<b>\$0.00</b>	<b>\$217.45</b>	<b>321</b>	<b>1,364</b>	<b>\$69,801</b>
<b>PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273 (278.80 AND 273.81)</b>									
Review petition and make a decision on the applicability of regulation under the universal waste program									
	40.00	50.00	80.00	0.00	\$0.00	\$7,987.40	1	170	\$7,987
Prepare and send written decision to the petitioner									
	2.00	2.00	2.00	2.00	\$0.00	\$346.30	1	8	\$346
Compile and file all information on the petition									
	0.00	0.00	0.00	4.00	\$0.00	\$86.80	1	4	\$87
<b>SUBTOTAL</b>	<b>42.00</b>	<b>52.00</b>	<b>82.00</b>	<b>6.00</b>	<b>\$0.00</b>	<b>\$8,420.50</b>	<b>1</b>	<b>182</b>	<b>\$8,420</b>
<b>TOTAL</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>\$0.00</b>	<b>varies</b>	<b>varies</b>	<b>3,277</b>	<b>\$122,947</b>

EXHIBIT 12  
 CONDITIONAL EXEMPTION FOR LOW-LEVEL MIXED WASTE STORAGE AND DISPOSAL  
 TOTAL ESTIMATED ANNUAL STATE AGENCY BURDEN AND COST SUMMARY

Exhibit	Title	Annual Activities	Annual Hourly Burden	Annual Labor Cost	Annual Capital/Startup Cost	Annual O&M Cost	Total Annual Cost
Exhibit 3	Storage and Treatment Conditional Exemption	35	11	\$568	\$0	\$0	\$568
Exhibit 4	Transportation and Disposal Conditional Exemption	19	6	\$308	\$0	\$0	\$308
<b>Annual Total</b>		<b>54</b>	<b>17</b>	<b>\$876</b>	<b>\$0</b>	<b>\$0</b>	<b>\$876</b>

<b>Exhibit 13</b>										
<b>Used Oil Management Standards</b>										
<b>Estimated Annual State Agency Hour and Cost Burden</b>										
	Hours and Cost per Respondent							Total Hours and Costs		
INFORMATION COLLECTION ACTIVITY	Managerial @ \$56.86/Hr	Technical @ \$34.02/Hr	Clerical @ \$2170/Hr	Respondent Hours	Labor Cost	Capital/ Startup Costs	O&M Costs	Number of Respondents/ Activity	Total Hours/Year	Total Costs/Year
<b>Used Oil Transporters and Transfer Facilities</b>										
<b>Rebuttable Presumption for Used Oil (§ 279.44)</b>										
Review demonstration	0.00	4.00	0.00	4.00	\$219.76	\$0.00	\$0.00	0	0.00	\$0.00
Enter information into database	0.00	0.00	0.10	0.10	\$2.37	\$0.00	\$0.00	0	0.00	\$0.00
<b>Subtotal</b>									0.00	\$0.00
<b>Used Oil Processors and Re-Refiners</b>										
<b>Emergency Procedures (§ 279.52(b)(6))</b>										
Review information in notification letter	0.10	0.40	0.00	0.50	\$27.53	\$0.00	\$0.00	2	100	\$55.06
Review information in written report on emergency incident	0.00	100	0.00	100	\$54.94	\$0.00	\$0.00	2	2.00	\$109.88
<b>Rebuttable Presumption for Used Oil (§ 279.53)</b>										
Review demonstration	0.00	4.00	0.00	4.00	\$219.76	\$0.00	\$0.00	0	0.00	\$0.00
Enter information into database	0.00	0.00	0.10	0.10	\$2.37	\$0.00	\$0.00	0	0.00	\$0.00
<b>Closure of Aboveground Tanks (§ 279.54(h)(1)(ii))</b>										
Review information demonstrating that not all contaminated soils can be practicably removed or decontaminated as required by section 249.54(h)(1)(i)	0.00	100	0.00	100	\$54.94	\$0.00	\$0.00	1	100	\$54.94
Enter information into database	0.00	0.00	0.10	0.10	\$2.37	\$0.00	\$0.00	1	0.10	\$2.37
<b>Reporting (§ 279.57(b))</b>										
Review biennial report concerning used oil activities conducted at processing/re-refining facility	0.00	3.00	0.00	3.00	\$164.82	\$0.00	\$0.00	100	300.00	\$16,482.00
<b>Subtotal</b>									304.10	\$16,704.25
<b>Used Oil Burners Who Burn Off-Specification Used Oil for Energy Recovery</b>										
<b>Rebuttable Presumption for Used Oil (§ 279.63)</b>										
Review demonstration	0.00	4.00	0.00	4.00	\$219.76	\$0.00	\$0.00	0	0.00	\$0.00
Enter information into database	0.00	0.00	0.10	0.10	\$2.37	\$0.00	\$0.00	0	0.00	\$0.00
<b>Subtotal</b>									0.00	\$0.00
<b>TOTAL</b>									<b>304.10</b>	<b>\$16,704.25</b>