

**SUPPORTING STATEMENT FOR  
EPA INFORMATION COLLECTION REQUEST OMB CONTROL NO. 2050-0035  
“HAZARDOUS WASTE GENERATOR STANDARDS”**

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

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

This information collection request (ICR) is entitled "Hazardous Waste Generator Standards (Renewal)", ICR Number 0820.15. OMB Control Number 2050-0035.

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

In the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, Congress authorized the U.S. Environmental Protection Agency (EPA) to develop and administer a national hazardous waste program. The core of the program is the regulation of hazardous waste from generation to eventual disposal, i.e., from "cradle to grave." Sections 3001(d) and 3002 of RCRA authorize EPA to develop and promulgate regulations for generators of hazardous waste. Among other things, EPA is authorized to establish generator standards for recordkeeping, labeling, storage of wastes in tanks, containers, drip pads and containment buildings, use of a hazardous waste manifest system, and biennial reporting to EPA. [Note: This ICR does not cover any manifesting or biennial reporting requirements. Manifesting requirements are addressed in ICR OMB Control No. 2050-0039. Biennial reporting requirements are addressed in ICR OMB Control No. 2050-0024.] In addition, RCRA section 3010 sets forth requirements for generators and other hazardous waste handlers to notify EPA of their hazardous waste activities. Finally, RCRA section 3017 sets forth requirements for exporters exporting hazardous waste from the United States (e.g., notification and annual reporting requirements).

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

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

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

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

## ***HAZARDOUS WASTE DETERMINATION REQUIREMENTS***

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

### ***LARGE QUANTITY GENERATOR (LQG) PRE-TRANSPORT REQUIREMENTS***

#### **(1) Labeling**

Section 262.15(a)(5) and 262.17(a)(4–5) require LQGs to label containers, tanks, and containment buildings as specified (i.e., with the date accumulation began, the words “Hazardous Waste,” and an indication of the hazard of the contents). EPA and states need information on the time waste began accumulating for enforcement and monitoring purposes. The labels are also necessary to communicate important information about the hazards of the contents of containers and tanks to facility personnel, visitors, first responders who may encounter them in the event of an emergency, or anyone else on site at the facility. Generators that accumulate hazardous waste in tanks must also use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days.

#### **(2) Personnel Training**

Section 262.17(a)(7) requires LQGs to maintain copies of personnel training documents and records at their facilities. Both EPA and states need information in personnel training records to determine whether employees have acquired the necessary expertise to perform their jobs. EPA also needs this information to review personnel records to determine whether employees are receiving a level of training that is commensurate with their duties and responsibilities as well as their ability to respond to any emergency situations at the facility. Requiring generators to maintain personnel training documents decreases the likelihood that employees are unqualified to handle hazardous waste or respond to emergencies. The personnel recordkeeping requirement contributes to EPA's goal of minimizing the potential for employee-related mistakes that may threaten human health and the environment.

#### **(3) Contingency Planning and Emergency Procedures**

Under section 262.17(a)(6), LQGs must comply with subpart M of part 262, which details requirements for contingency plans, and if necessary, emergency procedures, for effective action to minimize any unanticipated damage from the release of any hazardous waste. These regulations require LQGs to keep records of arrangements the facility entered into with local emergency responders to provide information on the generator's facility and its wastes, prepare and maintain contingency plans that include a quick-reference guide, and prepare emergency reports whenever imminent or actual emergency situations occur. EPA inspectors may review the contingency plans to determine whether LQGs have developed adequate procedures to respond to unplanned sudden or non-sudden releases of hazardous waste or hazardous constituents to air, soil, or surface water. Requiring LQGs to develop and maintain contingency plans and prepare emergency response reports contributes to EPA's goal of minimizing unanticipated damage from the accumulation of hazardous waste at generator sites.

#### **(4) Tank Systems**

Under section 262.17(a)(2), EPA requires LQGs that accumulate hazardous waste in tank systems to comply with subpart J of part 265. These requirements include inspection documentation, re-certification of extensive repairs, and closure notifications, all of which ensure that LQGs only operate tank systems that are fully protective of human health and the environment and that, if releases to the environment occur, action is taken immediately. These requirements also contribute to EPA's goal of preventing contamination of the environment from hazardous waste accumulation practices.

#### **(5) Drip Pads**

Under section 262.17(a)(3), EPA requires LQGs that accumulate hazardous waste on drip pads to comply with subpart W of part 265, describe and document waste removal within 90 days, and ensure that waste generation and management practices are consistent with 90-day storage. These requirements ensure that drip pads are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

#### **(6) Containment Buildings**

Under section 262.17(a)(4), EPA requires LQGs that accumulate hazardous waste in containment buildings to comply with subpart DD of part 265, as well as to document the existence of procedures that ensure the waste remains in the unit for no more than 90 days, that waste generation and management practices are consistent with 90-day storage, that these procedures are complied with, and that the unit is emptied at least every 90 days. These requirements ensure that containment buildings are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

#### **(7) Requests for Extensions of the Accumulation Period**

EPA promulgated regulations in section 262.17(b) allowing LQGs to request from the Regional Administrator extensions (up to 30 days) of the accumulation period limit due to unforeseen, temporary, and uncontrollable circumstances. EPA needs information about the extension to evaluate the cause of the generators' requests for extensions and to approve/deny requests. These requirements ensure that only generators genuinely in need of an extension are allowed to accumulate wastes longer than 90 days, and contribute to EPA's goal of preventing contamination of the environment.

## ***LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS***

### **(1) Air Emissions from Process Vents**

In 40 CFR part 265, subpart AA, EPA promulgated regulations governing emissions to air from process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations that manage hazardous wastes with organic concentrations of at least 10-ppmw if the unit: is subject to the permitting requirements of 40 CFR part 270; is not exempt from permitting under the provisions of 40 CFR 262.17 (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270; or is exempt from permitting under the provisions of 40 CFR 262.17 (i.e., a 90-day tank or container). EPA needs information from generator facilities concerning hazardous waste releases to air from process vents to ensure that activities and control devices used by such facilities are consistent with EPA's goal of preventing contamination of the environment.

### **(2) Air Emissions from Equipment Leaks**

In 40 CFR part 265, subpart BB, EPA promulgated regulations governing emissions to air from equipment that contains or contacts hazardous wastes with organic concentrations of at least 10 percent by weight if the unit: is subject to the permitting requirements of 40 CFR part 270; is not exempt from permitting under the provisions of 40 CFR 262.17 (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270; or is exempt from permitting under the provisions of 40 CFR 262.17 (i.e., a 90-day tank or container). EPA needs information from generator facilities concerning hazardous waste releases to air from equipment leaks to ensure that activities and equipment used by such facilities are consistent with EPA's goal of preventing contamination of the environment.

## ***SMALL QUANTITY GENERATOR (SQG) PRE-TRANSPORT REQUIREMENTS***

### **(1) Labeling**

Section 262.15(a)(5) and 262.16(b)(5–6) require SQGs to label their containers, tanks, and containment buildings as specified (i.e., with the words "Hazardous Waste," an indication of the hazards of the contents, and the date that accumulation began). This information allows EPA and states to monitor and enforce the accumulation requirements. The labels are also necessary to communicate important information about the hazards of the contents of containers and tanks to facility personnel, visitors, first responders who may encounter them in the event of an emergency, and any others on site at the facility.

### **(2) Preparedness and Prevention and Emergency Procedures**

EPA promulgated regulations in Section 262.16(b)(8–9) requiring SQGs to immediately notify the fire department in the event of a fire, or the National Response Center in the event of a fire, explosion, or other release which could threaten human health outside the facility, or when SQGs have knowledge that a spill has reached surface water. Applicable provisions also require SQGs to keep records of arrangements the facility entered into with local emergency responders to provide information on the generator's facility, and require SQGs to post emergency information near the phone. EPA needs this information in order to evaluate and, if necessary, respond to releases of hazardous waste into the environment. It also increases the likelihood that appropriate procedures are in place in case of an

emergency. This information also contributes to EPA's goal of quickly responding to, and minimizing the deleterious effects of, hazardous waste releases into the environment.

### **(3) Requests for Extensions of the Accumulation Period**

EPA promulgated regulations in section 262.16(d) allowing SQGs to request from the Regional Administrator extensions (up to 30 days) of the accumulation period limit for unforeseen, temporary, and uncontrollable circumstances. EPA needs information about the extension to evaluate the cause of the generators' requests for extensions and to approve/deny requests. These requirements ensure that only generators genuinely in need of an extension are allowed to accumulate wastes longer than 180/270 days (depending on the distance to an off-site destination), and contribute to EPA's goal of preventing contamination of the environment.

### **(4) Drip Pads**

Under section 262.16(b)(4), EPA requires SQGs that accumulate hazardous waste on drip pads to comply with subpart W of part 265, describe and document waste removal within 90 days, and ensure that waste generation and management practices are consistent with 180-day storage area requirements. These requirements ensure that drip pads are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

### **(5) Containment Buildings**

Under section 262.16(b)(5), EPA requires SQGs that accumulate hazardous waste in containment buildings to comply with subpart DD of part 265, as well as to document the existence of procedures that ensure the waste remains in the unit for no more than 90 days, that waste generation and management practices are consistent with 180-day storage, that these procedures are complied with, and that the unit is emptied at least every 90 days. These requirements ensure that containment buildings are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

## ***RECORDKEEPING AND REPORTING REQUIREMENTS***

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

## ***FLEXIBILITIES FOR VSQs AND SQs***

### **(1) Intra-organizational Transfers**

To afford greater flexibility to VSQs, in section 262.14(a)(5)(viii) EPA allows VSQs to send their hazardous waste to an LQG under the ownership of the same organization while maintaining their existing regulatory status. VSQs must write the words "VSQG Hazardous Waste" on containers and comply with all applicable Department of Transportation Regulations. LQGs must notify EPA that they are accepting intra-organizational waste, maintain records of waste received, and label containers with the date they were received.

### **(2) Episodic Generation**

Part 262 subpart L provides greater flexibility to VSQs and SQs that generate much of their hazardous waste on an episodic basis, EPA is allowing a VSQG or an SQG to maintain its existing regulatory status in the event of a planned or unplanned episodic event in which the facility generates a quantity of hazardous waste in a calendar month that will otherwise elevate the facility to a more stringent regulatory status.

## ***EXPORT AND IMPORT REQUIREMENTS***

Authority for EPA to oversee the international trade of hazardous wastes is derived from RCRA sections 1006, 1007, 2002(a), 3001–3010, 3013–3015, and 3017 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), and as amended by the Hazardous and Solid Waste Amendments, 42 U.S.C. 6905, 6906, 6912, 6921–6930, 6934, and 6938.

Section 3017 directs EPA to implement requirements for individuals exporting hazardous waste from the United States, including a notification of the intent to export, and an Annual Report summarizing the types, quantities, frequency, and ultimate destination of all exported hazardous waste. Section 3017 also directs export shipments to conform to the terms of any international agreement between the United States and the country of import. There are three such international agreements that cover the majority of U.S. import and export shipments of hazardous waste: the U.S.-Canada waste bilateral agreement, the U.S.-Mexico waste bilateral agreement, and the multilateral waste agreement between member countries of the Organization for Economic Cooperation and Development (OECD) titled the OECD Council Decision C(2001)107/Final as amended ("OECD Council Decision").<sup>1</sup>

By arranging for shipment of the hazardous waste into the United States, a U.S. importer causes the hazardous waste to become subject to RCRA regulations for the first time, and as such the U.S. importer meets the RCRA definition of generator in 40 CFR 260.10. The RCRA import-specific requirements are therefore established under EPA's authority over RCRA generators. RCRA hazardous waste importers are subject to the hazardous waste generator requirements in 40 CFR Part 262 Subparts A – D and H, with the exception of accumulation conditions for exemption in sections 262.15-.17. RCRA hazardous waste importers cannot accumulate hazardous waste for more than 10 days without a RCRA storage permit. The 90-day generator accumulation time is not applicable to imports of hazardous waste, which are already in transportation. The hazardous waste import shipment may be stored during the normal course of transportation to the designated facility at a transfer facility for 10 days or less, provided

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<sup>1</sup> Copies of agreements and more information on the international waste agreements are available at <https://www.epa.gov/hwgenerators/international-agreements-transboundary-shipments-hazardous-waste>.



that the hazardous waste is packaged in accordance with U.S. Department of Transportation (DOT) packaging regulations (40 CFR section 263.12).

Under the November 28, 2016 “Hazardous Waste Export-Import Revisions” final rule (81 FR 85696), EPA consolidated the hazardous waste import and export regulations so that one set of protective requirements, equivalent to the regulations previously in 40 CFR Part 262 Subpart H implementing the OECD Council Decision would apply to all imports and exports of hazardous waste. In addition, EPA established a phased in transition to electronic reporting to EPA, and mandated validation of the consent to export as part of the electronic export information submitted to U.S. Customs and Border Protection (CBP) to provide for more efficient processing and compliance monitoring.

EPA applied OECD procedures to strengthen its oversight of such transboundary shipments of hazardous waste, as the OECD procedures are widely accepted as the international standard of control for such shipments. Under 40 CFR Part 262 Subpart H, prior notice and consent is required for exports or imports of RCRA hazardous waste, including those hazardous wastes managed under the alternate standards of 40 CFR Parts 266 or 273. Prior notice and consent allows the U.S. and other involved countries to review the proposed shipment for compliance with domestic laws and regulations prior to any actual shipment. In cases where the proposed shipment would not comply with domestic laws or regulations or where there might be an issue with the proposed receiving facility, the importing country may deny consent, thus preventing a shipment to a facility that does not have the capacity to manage the waste properly. In cases where only one of the countries control the proposed shipment as an import or export shipment of hazardous waste, the OECD procedures are followed by the country that controls the shipment as an import or export of hazardous waste. For example, if a proposed import of RCRA hazardous waste is not controlled as an export of hazardous waste by the country of export, the U.S. importer must submit the notice to EPA directly requesting consent. Shipments must occur under contracts or equivalent arrangements between the exporter, importer and receiving facility that specify compliance with the OECD procedures. When the proposed shipment would comply with domestic laws or regulations and the importing country consents, exporters and importers must ensure that an international movement document accompanies the shipment from the starting site in the country of export to the destination site in the country of import, and copies of the signed movement document must be sent by the receiving facility to the exporter and to the countries of export, import, and transit that respectively control the shipment as an export, import or transit of hazardous waste to confirm receipt of the shipment. Such confirmation reduces the risk of a shipment being misdirected to a country or facility not approved to receive the shipments for disposal or recovery. The confirmation of receipt also highlights any incident where the shipment is interrupted or misdirected, as the exporter and competent authorities will not receive the confirmation from the approved destination facility within expected timeframes. In such cases, exception reporting is required to be submitted either to EPA for exports or the authorized state agency for imports. Lastly, the confirmation of receipt provides documentation for both the exporter and the countries of import and export that the shipment in fact went to the approved recycling or disposal facility. Once received at the approved facility, management (i.e., treatment and disposal, recovery) of each shipment is required to be completed within one year of shipment delivery, and the destination facility must send confirmation of completing such management back to the exporter and to the competent authorities of the countries of export and import that respectively control the shipment as an export or import of hazardous waste. This requirement minimizes the risk of speculative accumulation or abandonment of the waste shipment, and decreases the potential for associated damage to human health and the environment. For exports, EPA requires that the exporter keep copies of the notices, contracts, EPA Acknowledgement of Consent (AOC) letters, confirmations of receipt, exception reports, confirmations of recovery or disposal, and annual reports for three years. For imports, EPA requires that the importer keep copies of the notices, EPA AOC letters, and contracts for three years. To the extent that

the record is submitted electronically to EPA, the record may be stored in EPA's system.

## **2(b) USE AND USERS OF THE DATA**

### ***HAZARDOUS WASTE DETERMINATION REQUIREMENTS***

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

### ***LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS***

#### **(1) Labeling**

LQGs use the labeling information to maintain compliance with RCRA hazardous waste regulations and communicate the hazards to facility personnel, visitors, first responders who may encounter them in the event of an emergency, and any others on site at the facility.

#### **(2) Personnel Training**

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

#### **(3) Contingency Plan and Emergency Procedures**

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

EPA, as well as local and State government agencies responding to any releases, uses the information submitted by LQGs under section 262.17(a)(6) to document and respond to any spills or other unplanned releases of hazardous wastes into the environment.

#### **(4) Tank Systems**

In section 262.17(a)(2), EPA requires LQGs that accumulate hazardous waste in tank systems to comply with standards detailed in part 265 subpart J. The following lists each information collection requirement that applies to tank systems and describes how EPA uses the information.

- A no-free-liquids demonstration (§265.190(a)). EPA uses this demonstration to decide whether it may exempt LQGs that meet this and other conditions (using tanks that contain no free liquids and are situated in a building with an impermeable floor) from the requirements of section 265.193.

- Existing tank system assessments (§265.191). EPA uses this information to assure that LQGs operating tank systems without secondary containment carefully evaluate the tank systems' primary containment capability to ensure that the tank systems are not leaking.
- New tank system assessments and certifications (§265.192). EPA uses new tank system assessments and certifications to assure that any new system components installed at the LQG facilities are appropriate for and will adequately contain hazardous waste.
- An equivalent containment exemption (§265.193(d)(4)). EPA may grant this exemption to LQGs that can demonstrate that their release containment system is equivalent to a liner, vault, or double-walled tank. This exemption lessens the burden on LQGs without compromising public health or the environment.
- An exemption from the 24-hour leak detection requirement (§265.193(e)(3)(iii)). EPA may grant this exemption to LQGs that can demonstrate that existing technologies or site conditions will not allow detection of a leak within 24 hours. This exemption allows these LQGs to use a system that will detect failure and contamination at the earliest practicable time.
- A variance from the secondary containment requirements (§265.193(g)). EPA may grant LQGs a variance from all secondary containment requirements if they can demonstrate that alternative design and operating principles, together with location characteristics, will be as protective of the environment as secondary containment. This variance lessens the burden on LQGs without compromising public health or the environment.
- A notification of intent to conduct and submit a demonstration for a variance from secondary containment (§265.193(h)). The Regional Administrator must be notified of the intent of an owner or operator to conduct and submit a demonstration for a variance from secondary containment so that EPA can evaluate and the public can participate in the process and to reduce the burden and costs without compromising protection of human health and the environment.
- Annual leak tests and inspections for LQGs using tests that do not meet the secondary containment requirements (§265.193(i)). EPA uses this information to ensure that hazardous wastes are not leaking into the environment.
- An exemption from the 24-hour waste removal requirement (§265.196(b)). EPA uses information submitted by LQGs under these sections to decide whether to grant the exemptions. EPA regulations require facilities at which there has been a spill to remove, within 24 hours, enough waste from the system to prevent further release and allow for inspection and repair of the tank. If the LQG can demonstrate that it is not possible to do so within 24 hours, EPA will allow the LQG to remove the waste at the earliest practicable time.
- Release notifications and reports, and major repair certifications (§265.196(d) and (f)). EPA uses release notifications and reports to document hazardous waste releases and track the progress of their cleanup. In cases in which a release has been caused by major system damage, the Agency uses the certifications to document that the system has been adequately repaired.

**(5) Drip Pads**

In 262.17(a)(3), EPA requires LQGs that accumulate hazardous waste on drip pads to comply with contingency plan, assessment, upgrading, repair, and release-related information collection requirements, as well as to document the proper use of drip pads and compliance with 90-day waste removal requirements. EPA uses these data to ensure that drip pads are protective of health and the environment and are designed, improved, repaired and used in a manner that is environmentally sound. Moreover, EPA uses this information to document compliance with the limitations placed on generators using drip pads for 90-day accumulation.

**(6) Containment Buildings**

In 262.17(a)(4), EPA requires LQGs that accumulate hazardous waste in containment buildings to comply with certification, release notification, repair, and design-related requirements, as well as to document the existence of storage procedures that ensure the waste remains in the unit for no more than 90 days, that waste generation and management practices are consistent with 90-day storage, that these procedures are complied with, or that the unit is emptied at least every 90 days. EPA uses this data to ensure that the containment building is designed according to applicable standards, that releases are reported and documented, and that necessary repairs are documented. The Agency also uses this information to document compliance with the 90-day limit on waste storage. Overall, these requirements ensure that containment buildings are used in a manner that is protective of human health and the environment.

**(7) Requests for Extensions of the Accumulation Period**

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

***LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS***

**(1) Air Emissions from Process Vents**

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

**(2) Air Emissions from Equipment Leaks**

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

***SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS***

**(1) Labeling**

SQGs use the labeling requirements to ensure compliance with accumulation and handling requirements and to communicate the hazards to facility personnel, visitors, first responders who may encounter them in the event of an emergency, and any others on site at the facility.

## **(2) Preparedness and Prevention and Emergency Procedures**

EPA, as well as local and State government agencies responding to any releases, use the information submitted by SQGs under section 262.16(a)(8–9) to document and respond to any spills or other unplanned releases of hazardous wastes into the environment. EPA also uses this information to assess the needs and state of readiness of generators and to facilitate appropriate responses in cases of an emergency.

## **(3) Requests for Extensions of the Accumulation Period**

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

## **(4) Drip Pads**

Under section 262.16(b)(4), EPA requires SQGs that accumulate hazardous waste on drip pads to comply with subpart W of part 265, as well as to describe and document waste removal within 90 days. These requirements ensure that drip pads are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

## **(5) Containment Buildings**

Under section 262.16(b)(5), EPA requires SQGs that accumulate hazardous waste in containment buildings to comply with subpart DD of part 265, as well as to document the existence of procedures that ensure the waste remains in the unit for no more than 90 days, that waste generation and management practices are consistent with 90-day storage area requirements, and that these procedures are complied with. These requirements ensure that containment buildings are designed and used in a manner that is protective of human health and the environment. The information collection requirements document the proper design and use of this type of unit.

## ***RECORDKEEPING AND REPORTING REQUIREMENTS***

In monitoring compliance and enforcing regulations, EPA relies on the recordkeeping requirements in sections 262.11 and 262.44 to provide a record of generators' hazardous waste generation, determination status (e.g., testing or knowledge), and its eventual disposition.

## ***EXPORT AND IMPORT REQUIREMENTS***

The Office of Enforcement and Compliance Assurance, U.S. EPA, uses the information provided by each U.S. exporter, receiving facility, transporter, and recognized trader to determine compliance with the applicable RCRA regulatory provisions. In addition, the information is used to determine the number,

origin, destination, and type of exports from and imports to the U.S. for tracking purposes and for reporting to the OECD. This information also is used to assess the efficiency of the program.

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

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

The information collected under this ICR is not available from any source other than respondents. EPA's Office of Resource Conservation and Recovery is the only office within the Agency requiring the recordkeeping or reporting of this information. No other Federal agency or department collects this information.

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

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice in the *Federal Register* on June 17, 2022. The public comment period extended through August 16, 2022. EPA received one comment that was not related to this ICR.

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

The following is a list of organizations contacted for information supporting the development of this ICR. None of the burden estimates were changed as a result of these consultations.

<b>Organization</b>	<b>Contact</b>
TRADEBE TREATMENT & RECYCLING LLC	Tita Lagrimas
HEXION	Jenna Downing
PUEBLO CHEMICAL DEPOT	Jamal Albaiz
GALENA PARK TERMINAL	Scott Eady
LONG LIFE TREATED WOOD, INC	Janet Anderson
PEACE HEALTH	Roni Dersham
NEW ENGLAND PRECISION	Robert Eccher
ICP ADHESIVES & SEALANTS	Erry W Armes

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

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

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

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

**3(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 COLLECTED**

**4(a) RESPONDENTS AND NAIC CODES**

The following is a list of North American Industry Classification System (NAICS) codes, associated with generators most likely to be affected by the generator information requirements covered under this ICR. Potentially affected industries may include, but are not limited to the following:

<b>NAICS code</b>	<b>Description</b>
113	Forestry and Logging
115	Support Activities for Agriculture and Forestry
211	Oil and Gas Extraction
212	Mining (except Oil and Gas)
221	Utilities
311	Food Manufacturing
313	Textile Mills
314	Textile Product Mills
315	Apparel Manufacturing
316	Leather and Allied Product Manufacturing
321	Wood Product Manufacturing
322	Paper Manufacturing
323	Printing and Related Support Activities
324	Petroleum and Coal Products Manufacturing
325	Chemical Manufacturing
326	Plastics and Rubber Products Manufacturing
327	Nonmetallic Mineral Product Manufacturing
331	Primary Metal Manufacturing
332	Fabricated Metal Product Manufacturing
333	Machinery Manufacturing
334	Computer and Electronic Product Manufacturing

335	Electrical Equipment and Appliance Manufacturing
336	Transportation Equipment Manufacturing
337	Furniture and Related Product Manufacturing
339	Miscellaneous Manufacturing
423	Merchant Wholesalers, Durable Goods added
424	Merchant Wholesalers, Nondurable Goods
511	Publishing Industries
512	Motion Picture and Sound Recording Industries
522	Credit Intermediation and Related Activities
525	Funds, Trusts, and Other Financial Vehicles
531	Real Estate
541	Professional, Scientific, and Technical Services
561	Administrative and Support Services
562	Waste Management and Remediation Services
721	Accommodation
812	Personal and Laundry Services
813	Religious, Grantmaking, Civic, Professional, and Similar Organizations

#### **4(b) INFORMATION REQUESTED**

##### **HAZARDOUS WASTE DETERMINATION REQUIREMENTS**

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

(i) Data item:

- Both LQGs and SQGs are required to maintain records that support their hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste as defined in section 261.3. They must be kept for a period of at least three years.

(ii) Respondent activities:

In making a hazardous waste determination, respondents must:

- Test their waste; or
- Use knowledge of the waste.
- Maintain records related to waste determinations for at least three years.



## .....LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS

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

### (1) Labeling

40 CFR 262.17(a)(4–5) require that LQGs label each container, tank, or containment building accumulating hazardous waste with the words "Hazardous Waste," an indication of the hazards of the contents, and the date upon which each period of accumulation begins. Section 262.15(a)(5) requires LQGs accumulating either hazardous waste or acutely hazardous waste at or near the point of generation to mark these containers in "satellite accumulation areas" with the words "Hazardous Waste" and an indication of the hazard. Section 262.15(a)(6) further requires that, if the LQG accumulates hazardous waste or acutely hazardous waste in a satellite accumulation area in excess of specified amounts, the LQG must, within three days, move that excess waste to a 90-day accumulation area. During that three-day period, the LQG must mark the container holding the excess accumulation with the date the excess amount began accumulating.

#### (i) Data items

- Labels with the words "Hazardous Waste"
- An indication of the hazards of a container's contents (e.g., the applicable hazardous waste characteristics); and either
- The date that the allowable accumulation amount was exceeded for containers in satellite accumulation areas; or
- The date upon which accumulation began for containers in 90-day storage areas

In addition, LQGs must place the following information in a conspicuous area on or near containment buildings:

- The words "Hazardous Waste"
- An indication of the hazards of the waste.
- The date that accumulation began

#### (ii) Respondent activities

In complying with sections 262.15(a)(5) and 262.17(a)(4–5) LQGs are required to label containers, tanks, and containment buildings with the following information: (1) the words "Hazardous Waste;" (2) an indication of the hazards of a container's contents; and (3) either the date upon which each period of accumulation begins clearly visible for inspection on each container in 90-day accumulation areas, or the date that the allowable accumulation amount was exceed for containers in satellite accumulation areas.

**(2) Personnel Training**

LQGs must comply with requirements in section 262.17(a)(7), which requires LQGs to maintain copies of personnel training documents and records at the facility, and maintain those records until closure of the facility, except as otherwise specified.

**(i) Data items**

- Personnel training records should include the following data items:

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

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

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

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

**(ii) Respondent activities**

Respondents must perform the following activities under section 262.17(a)(7):

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

**(3) Emergency Response Preparedness****(i) Data items:**

Under part 262 subpart M, requirements for prevention, preparedness, and emergency response, LQGs must prepare a contingency plan, attempt to coordinate with local response agencies, and update the plan as needed. In addition, LQGs must maintain records documenting these arrangements with local emergency responders, or if no arrangement exists, that attempts were made to set up this arrangement for at least three years. Most LQGs are likely to have active arrangements with local authorities and will only incur costs to document these arrangements. Currently, EPA estimates that 10 percent of facilities have failed to make arrangements with local emergency responders. In addition, all new LQGs are required to submit a quick reference guide to their contingency plan to emergency management authorities to improve the ability of emergency response teams to respond to an emergency. Furthermore, EPA is requiring any LQG that makes a change to its existing contingency plan to prepare and submit a quick reference guide to their contingency plan to emergency responders.

**(ii) Respondent activities:**

Existing LQGs will have to document active arrangements with local emergency management authorities, or if no arrangement exists, that attempts were made to set up this arrangement. All new LQGs will have to submit a quick reference guide to their contingency plan to emergency management authorities. Additionally, any LQG that makes a change to its existing contingency plan will also have to submit a quick reference guide to their contingency plan to emergency responders.

**(a) Contingency Plan**

Section 262.256 requires generators to maintain records of their arrangements with local authorities to become more familiar with the generators' facility and wastes. Section 262.260 requires LQGs to have a contingency plan for their facilities. Section 262.262 requires the generators to maintain a copy of an updated contingency plan at the facility. LQGs are also required to create and submit a quick reference guide of the contingency plan to the local emergency responders. Data elements required by this plan are outlined in section 262.261.

(i).....Data items

- Contingency plan should include the following data items:
  - A description of the actions facility personnel will take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or, surface water at this facility;
  - A description of the arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services;
  - An updated list of names and emergency phone numbers of all persons qualified to act as emergency coordinators plus designated as primary emergency coordinators and alternates listed in order;
  - An updated list of all emergency equipment at the facility and the location, physical description, and capabilities of the emergency equipment. The contingency plan should also indicate where the emergency equipment will be required; and
  - An evacuation plan for the facility personnel where there is a possibility that evacuation may be necessary including a description of signals used to begin evacuation, evacuation routes, and alternate routes.
- Quick reference guide that includes the following information:
  - The types/names of hazardous wastes in layman's terms;
  - The estimated maximum amount of each hazardous waste that may be present at any one time;

--Identification of wastes where exposure would require special treatment;  
a map of the facility showing where hazardous waste are generated, accumulated, treated, and routes for accessing these wastes,

--A street map of the facility that will show the best way to access the facility as well as evacuate nearby buildings;

--The locations of water supply;

--The identification of on-site notification systems; and

--The name of the emergency coordinator's emergency phone number.

- Generators must update their quick reference guide whenever a contingency plan is amended and submit the updated version to the local emergency responders or Local Emergency Planning Committee.

(ii) Respondent activities

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

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

**(b) Emergency Procedures**

Under section 262.265, whenever there is an imminent or actual emergency situation, the emergency coordinator must immediately activate alarms and notify personnel and appropriate State or local emergency response agencies. Whenever there is a release, fire, or explosion, the emergency coordinator must immediately investigate and assess the release and hazard conditions. If the emergency coordinator determines that the facility has had a release, fire or explosion which could threaten human health or the environment outside the facility, he must report his findings to local authorities, as specified, and the government official designated as the on-scene coordinator for that geographical area or the National Response Center (NRC).

(i) Data items

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

(ii) Respondent activities

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

Notify State or local emergency response agencies of imminent or actual emergency situation;

Whenever there is a release, fire, or explosion, immediately investigate and assess the release and hazard conditions; and

If the facility has had a release, fire, or explosion which could threaten human health or the environment outside the facility boundary, notify local authorities if local evacuation is advisable and notify OSC for that geographical area or the NRC.

(c) **Notification of Compliance**

Section 262.265 states that LQGs should note in the operating record the time, date, and details of any incident that requires implementing the contingency plan and submit a report on the incident to the Regional Administrator within 15 days that includes such information as the name, address and telephone number of the owner or operator, the date, time, and type of incident, extent of injuries, etc.

(i) Data items

- The report must include the following data items:
  - Name, address, and telephone number of the generator;
  - Name, address, and telephone number of the facility;
  - Date, time, and type of incident;
  - Name and quantity of material(s) involved;

- The extent of injuries;
- An assessment of actual or potential hazards to human health or the environment; and
- Estimated quantity and disposition of recovered material that resulted from the incident.

(ii) Respondent activities

- As required by section 262.265(i), LQGs must:
  - Compile information that demonstrates that all affected areas are in compliance;
  - Prepare a letter notifying the Regional Administrator of this compliance; and
  - Submit the report.

**(4) Tank Systems**

In section 262.17(a)(2), LQGs that use tanks to accumulate hazardous waste for 90 days or less are required to comply with the requirements in 40 CFR part 265 subpart J.

**(a) No Free Liquids Demonstration**

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

(i) Data item

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

(ii) Respondent activities

Respondents must perform the following activities in performing this demonstration:

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

**(b) Assessments of Existing Tank Systems' Integrity**

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

(i) Data items

• For each existing tank system, a written assessment that has been reviewed and certified by an independent, qualified registered professional engineer in accordance with section 270.11(d). At a minimum, the assessment must consider the following:

- The design standards to which the tank and ancillary equipment were constructed;
- Hazardous characteristics of the waste(s) that has been and will be handled;
- Existing corrosion protection measures;
- The tank's documented or estimated age; and
- Results of a leak test performed as specified in section 265.191(b)(5)(i) and (ii).

(ii) Respondent activities

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

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

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

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

(i) Data items

• For each new tank system, a written assessment that has been reviewed and certified by an independent, qualified, registered professional engineer in accordance with section 270.11(d). At a minimum, the assessment must report on the following:

- The design standards to which the tank and ancillary equipment were constructed;
- Hazardous characteristics of the waste(s) to be handled;
- For new systems or components in which any external metal component of the tank system will be in contact with soil or water, a determination by a corrosion expert of the

factors affecting the potential for and protection from corrosion as specified in section 265.192(a)(3)(i) and (ii);

--For underground tank systems likely to be adversely affected by vehicular traffic, the design or operational measures that will protect the tank system from damage; and

--Design considerations to ensure that: 1) tank foundations will maintain the load of a full tank, 2) the systems are anchored so that they will not float or dislodge when placed in a saturated or seismic fault zone, and 3) the systems will withstand the effects of frost heave.

- Records of statements written by those who certify the tank system's design and supervise its installation (§265.192(g)). These records must verify that the system was designed and installed according to the regulatory requirements, and that any needed repairs were performed. They must also include the certification statement as required in section 270.11(d).

(ii) Respondent activities

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

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

**(d) Containment and Detection of Releases**

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

(1) Equivalent Containment Devices

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



well as additional information that may be necessary to substantiate a claim that the device is equivalent to a liner, vault, or double-walled tank.

(i) Data items

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

(ii) Respondent activities

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

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

(2) Exemption from 24-hour Leak Detection Requirement

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

(i) Data items

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

(ii) Respondent activities

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

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

(3) Variance from Secondary Containment Requirement

Section 265.193(g) allows LQGs to obtain a variance from all secondary containment requirements if they can demonstrate to the Regional Administrator that alternative design and operating practices, together with location characteristics, will prevent the migration of hazardous constituents into the ground water or surface water as effectively as secondary containment. In the event of a release that

does migrate to ground or surface water, facilities must demonstrate the release will pose no substantial hazard.

(i) Data items

- Written notification to the Regional Administrator indicating intent to conduct and submit a demonstration for a variance from secondary containment. This notification must contain:

--Description of the steps necessary to conduct the demonstration (which must address each factor listed in §265.193(g)(1) and (2)); and

--Timetable for completing each step.

(ii) Respondent activities

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

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

(4) Annual Leak Test and Inspections

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

(i) Data items

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

(ii) Respondent activities

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

- For non-enterable underground tanks, conduct a leak test that meets the requirements of section 265.191(b)(5);

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

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

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

(1) Exemptions from 24-hour waste removal requirement

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities in making this demonstration:

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

(2) Release Notifications and Reports

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

(i) Data items

- A notification to the Regional Administrator that there has been a release;

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

(ii) Respondent activities

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

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

## (3) Major Repair Certifications

(i) Data item

- Certification

(ii) Respondent Activities

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

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

(5) **Drip Pads**

Under section 262.17(a)(3), EPA requires LQGs that accumulate hazardous waste on drip pads comply with contingency plan, assessment, upgrading, repair, and release-related information collection requirements, as well as document the proper use of drip pads and compliance with 90-day waste removal requirements.

(a) **Contingency Plan**

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

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities:

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

(b) **Adequacy of Existing Drip Pads**

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

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities:

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

**(c) Design and Operating Requirements**

Section 265.443 requires that generators using drip pads must maintain an assessment of the drip pad and records of any release of hazardous waste. These generators must also notify the Regional Administrator and provide written notice of any release of hazardous waste as well as of the completion of modifications or repairs. Certification of such modifications or repairs is also required. Finally, generators using drip pads must document operating and waste handling practices in their operating log.

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities:

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

**(d) Certification of Liner**

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

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities:

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

**(e) Documentation of Waste Removal**

Section 262.17(a)(3)(iii) requires generators using drip pads to maintain a description of their 90-day waste removal practices and to document each waste removal.

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities:

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

**(6) Containment Buildings**

Under section 262.17(a)(4), EPA requires LQGs that accumulate hazardous waste in containment buildings to comply with certification, release notification, repair, and design-related requirements as well as to document storage procedures, waste generation and management practices, compliance with procedures, and that the unit is emptied at least every 90 days.

**(a) Design and Performance Documentation**

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

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities:

- Obtain the certification of an independent, qualified, registered professional engineer that the design of the containment building meets applicable regulatory standards;
- Place the certification in the operating record;
- Maintain records of any release of hazardous waste from a containment building;



- Notify the Regional Administrator of any condition contributing to or actual releases of hazardous waste within 7 days, and provide follow-up written notice within 14 days of a release;
- Notify the Regional Administrator of the completion of required repairs or clean-up; and
- Record monitoring data and leak detection data and place that data in the operating record at least every 7 days.

**(b) Documentation of Areas Lacking Secondary Containment**

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

(i) Data item

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

(ii) Respondent activities

Respondents must perform the following activity:

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

**(c) Documentation of Procedures and Compliance**

Section 262.17(a)(4) provides that generators using containment buildings must develop written procedures to ensure that waste stored for 90 days or less. These generators must also describe their waste generation and management practices and document that procedures ensuring limited storage are satisfied. Finally, these generators must document that their containment building is emptied at least once every 90 days.

(i) Data items

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

(ii) Respondent activities

Respondents must perform the following activities:

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

#### **(7) Requests for Extensions of the Accumulation Period**

In the case of an unforeseen, temporary, or an uncontrollable circumstance, section 262.17(b) allows large quantity generators to apply for up to a 30-day extension of the 90-day accumulation period limit. At the discretion of the Regional Administrator, these extensions will be granted on a case-by-case basis.

##### **(i) Data items**

The data items required in making this request are:

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

##### **(ii) Respondent activities**

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

- Prepare and submit the request to the Regional Administrator.

#### **(8) Special Requirements for Ignitable and Reactive Wastes**

##### **(i) Data items:**

RCRA regulations require that LQGs must locate containers holding ignitable or reactive waste at least 15 meters (50 ft.) from the facility's property line. In urban environments, LQGs may experience difficulty meeting this requirement due to the relatively small footprint of many properties in these areas. To provide flexibility to LQGs, EPA allows LQGs to apply for a facility-specific waiver from their local authority having jurisdiction (AHJ) over the fire code, if they are unable to meet the hazardous waste accumulation property line requirement.

##### **(ii) Respondent activities:**

Facilities seeking an exemption will be required to submit a waiver to their local AGJ and maintain a copy of the written approval in their records.

### **LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS**

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

**(1) Air Emissions from Process Vents**

**(a) Control Device Operation Documentation**

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

(i) Data items

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

(ii) Respondent activities

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

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

**(b) Waste Determination**

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

(i) Data item

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

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

(ii) Respondent activities

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

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

**(c) Unit Operating Record**

(1) Implementation Schedule

(i) Data item

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

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

(ii) Respondent Activities

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

(2) Up-to-date Documentation of Compliance

(i) Data item

- Up-to-date documentation of compliance with the process vent standards in section 265.1032, including:

-- Information and data identifying all affected process vents, annual throughput and operating hours of each affected unit, estimated emission rates for each affected vent and for the overall unit, and the approximate location within the unit of each affected unit.

-- Information and data supporting determinations of vent emissions and emission reductions achieved by add-on control devices based on engineering calculations or source tests.

(ii) Respondent Activities

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

- Modify.
- (3) Performance Test Plan
- (i) Data item
- Where an owner or operator chooses to use test data to determine the organic removal efficiency or total organic compound concentration achieved by the control device, a performance test plan that includes the following information:
    - A description of how it is determined that the planned test is going to be conducted when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur. This shall include the estimated or design flow rate and organic content of each vent stream and define the acceptable operating ranges of key process and control device parameters during the test program.
    - A detailed engineering description of the closed-vent system and control device, including:
      - Manufacturer's name and model number of control device;
      - Type of control device;
      - Dimensions of the control device;
      - Capacity;
      - Construction materials.
    - A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis.
- (ii) Respondent Activities
- Prepare the data item;
  - Reassess;
  - File and maintain; and
  - Modify.
- (4) Documentation of Compliance
- (i) Data item
- Documentation of compliance with section 265.1033 including the following information:
    - A list of all information references and sources used in preparing the documentation;

--If engineering calculations are used, a design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" or other engineering texts acceptable to the Regional Administrator that present basic control device design information. Documentation provided by the control device manufacturer or vendor that describes the control device design in accordance with paragraphs (b)(4)(iii)(A) through (b)(4)(iii)(G) of this section may be used;

--A statement signed and dated by the owner/operator certifying that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is or would be operating at the highest load or capacity level reasonably expected to occur; and

--A statement signed and dated by the owner/operator certifying that the control device is designed to operate at an efficiency of 95 percent or greater unless the total organic concentration limit of section 265.1032(a) is achieved at an efficiency less than 95 percent or the total organic emission limits of section 265.1032(a) for affected process vents at the unit can be attained by a control device involving vapor recovery at an efficiency less than 95 weight percent. A statement provided by the control device manufacturer or vendor certifying that the control equipment meets the design specifications may be used to comply with this requirement.

(ii) Respondent Activities

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

(5) Design, Monitoring and Inspections Information

(i) Data item

- Design documentation and monitoring, operating, and inspection information for each closed-vent system and control device required to comply with the provisions including:

--Description and date of each modification that is made to the closed-vent system or control device design;

--Identification of operating parameter, description of monitoring device, and diagram of monitoring sensor location or locations used to comply with sections 265.1033(f)(1) and (f)(2);

--Monitoring, operating and inspection information required by paragraphs (f) through (k) of section 265.1033;

--Date, time, and duration of each period that occurs while the control device is operating when any monitored parameter exceeds the value established in the control device design analysis;

--Explanation for each period recorded under paragraph (4) of the cause for control device operating parameter exceeding the design value and the measures implemented to correct the control device operation;

--For a carbon adsorption system operated subject to requirements specified in sections 265.1033(g) or 265.1033(h)(2), date when existing carbon in the control device is replaced with fresh carbon;

--For a carbon adsorption system operated subject to requirements specified in section 265.1033(h)(1), a log recording the following information:

-Date and time when control device is monitored for carbon breakthrough and the monitoring device reading;

-Date existing carbon in control device is replaced with fresh carbon; and

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

(ii) Respondent Activities

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

(6) Determination of Applicability to Subpart AA

(i) Data item

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

(ii) Respondent Activities

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

**(2) Air Emissions from Equipment Leaks**

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

(i) Data items

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

(ii) Respondent activities

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

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

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

(i) Data items

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

(ii) Respondent activities

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

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

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

(i) Data items

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

(ii) Respondent activities

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

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



**(d) Non-Hazardous waste documentation****(i) Data items**

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

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

**(ii) Respondent activities**

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

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

**(e) Unit operating record****(1) Equipment Record****(i) Data item**

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

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

--Hazardous waste state at the equipment; and

--Method of compliance with the standard.

(ii) Respondent activities

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

(2) Implementation Schedule

(i) Data item

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

(ii) Respondent activities

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

(3) Performance Test Plan

(i) Data item

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

(ii) Respondent activities

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

(4) Documentation of Compliance

(i) Data item

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

(ii) Respondent activities

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

## (5) Leak Inspection Log

(i) Data item

- When each leak is detected as specified in sections 265.1052, 265.1053, 265.1057, and 265.1058, an inspection log that includes the following information:

--Instrument and operator identification numbers and the equipment identification number;

--The date evidence of a potential leak was found in accordance with §265.1058(a);

--The date the leak was detected and the dates of each attempt to repair the leak;

--Repair methods applied in each attempt to repair the leak;

--"Above 10,000" if the maximum instrument reading measured by the methods specified in section 265.1063(b) after each repair attempt is equal to or greater than 10,000 ppm;

--"Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak;

--Documentation supporting the delay of repair of a valve in compliance with section 265.1059(c);

--The signature of the owner or operator (or designate) whose decision it was that repair could not be affected without a hazardous waste management unit shutdown;

--The expected date of successful repair of the leak if a leak is not repaired within 15 calendar days; and

--The date of successful repair of the leak.

(ii) Respondent activities

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

## (6) Design, Monitoring, Operation, and Inspection Information

(i) Data item

- Design documentation and monitoring, operating, and inspection information for each closed-vent system and control device required to comply with section 265.1060 including:

--Description and date of each modification that is made to the closed-vent system or control device design;

--Identification of operating parameter, description of monitoring device, and diagram of monitoring sensor location or locations used to comply with section 265.1033(f)(1) and (f)(2);

--Monitoring, operating and inspection information required by paragraphs (f) through (j) of section 265.1033;

--Date, time, and duration of each period that occurs while the control device is operating when any monitored parameter exceeds the value established in the control device design analysis;

--Explanation for each period recorded under paragraph (3) of the cause for control device operating parameter exceeding the design value and the measures implemented to correct the control device operation;

--For a carbon adsorption system operated subject to requirements specified in sections 265.1033(g) or 265.1033(h)(2), date when existing carbon in the control device is replaced with fresh carbon;

--For a carbon adsorption system operated subject to requirements specified in section 265.1033(h)(1), a log recording the following information:

- Date and time when control device is monitored for carbon breakthrough and the monitoring device reading; and
- Date when existing carbon in the control device is replaced with fresh carbon;

--Date of each control device startup and shutdown;

(ii) Respondent activities

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

## (7) Equipment Log

(i) Data item

- A log recording the following information for all equipment subject to sections 265.1052 through 265.1060:

--A list of identification numbers (except welded fittings) for equipment subject to the standards of subpart BB;

--A list of identification numbers for equipment that the owner or operator elects to designate for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, under sections 265.1052(e), 265.1053(i), and 265.1057(f);

--Signed designation of this equipment as subject to the requirements of sections 265.1052(e), 265.1053(i), and 265.1057(f) by the owner or operator;

--A list of equipment identification numbers for pressure relief devices required to comply with section 265.1054(a);

--The dates of each compliance test required in sections 265.1052(e), 265.1053(i), 265.1054, and 265.1057(f);

--The background level measured during each compliance test;

--The maximum instrument reading measured at the equipment during each compliance test; and

--A list of identification numbers for equipment in vacuum service.

(ii) Respondent activities

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

(8) Valve log

(i) Data item

- A log for all valves subject to section 265.1057(g) and (h) that includes the following information:

--A list of identification numbers for valves that are designated as unsafe to monitor, an explanation for each valve stating why the valve is unsafe to monitor, and the plan for monitoring each valve; and

--A list of identification numbers for valves that are designated as difficult to monitor, an explanation for each valve stating why the valve is difficult to monitor, and the planned schedule for monitoring each valve.

(ii) Respondent activities

Respondents must:

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

## (9) In-compliance Valve Log

(i) Data item

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

(ii) Respondent activities

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

## (10) Criteria Log

(i) Data item

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

(ii) Respondent activities

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

## (11) Exemption Log

(i) Data item

- An exemption log containing the following information:

--An analysis determining the design capacity of the hazardous waste management unit;

--A statement listing the hazardous waste influent to and effluent from each hazardous waste management unit subject to the requirements in sections 265.1052 through 265.1060 and an analysis determining whether these hazardous wastes are heavy liquids; and

--An up-to-date analysis and the supporting information and data used to determine whether or not equipment is subject to the requirements in sections 265.1052 through 265.1060. The record shall include supporting documentation as required by section 265.1063(d)(3) when application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced is used.

(ii) Respondent activities

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

.....**SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS**

**(1) Labeling**

40 CFR 262.16(b)(6) requires that SQGs label each container, tank, or containment building accumulating hazardous waste with the words "Hazardous Waste," an indication of the hazards of the contents, and the date upon which each period of accumulation begins. Section 262.15(a)(5) requires SQGs accumulating either hazardous waste or acutely hazardous waste at or near the point of generation to mark these containers in "satellite accumulation areas" with the words "Hazardous Waste" and an indication of the hazards of the contents of the container. Section 262.15(a)(6) further requires that, if the SQG accumulates hazardous waste or acutely hazardous waste in a satellite accumulation area in excess of specified amounts, the SQG must, within three days, move that excess waste to a central accumulation area (CAA), formerly known as an 180-day accumulation area. During that three-day period, the container holding the excess waste must be marked with the date the limit was exceeded.

(i) Data items

- Labels with the words "Hazardous Waste"
- An indication of the hazards of a container's contents (e.g., the applicable hazardous waste characteristics); and either
- The date that the allowable accumulation amount was exceeded for containers in satellite accumulation areas; or
- The date upon which accumulation began for containers in CAAs

In addition, SQGs must place the following information in a conspicuous location on or near containment buildings:

- The words "Hazardous Waste"

- An indication of the hazards of the waste; and
- The date that accumulation began

(ii) Respondent activities

In complying with sections 262.15(a)(5) and 262.16(b)(6) SQGs will be required to label containers and tanks with the following information: (1) the words “Hazardous Waste;” and (2) an indication of the hazards of a container’s contents; and (3) either the date upon which each period of accumulation begins, clearly visible for inspection, on each container in CAAs, or the date that the allowable accumulation amount was exceeded for containers in satellite accumulation areas. SQGs that accumulate hazardous waste in containment buildings must also mark these areas with (1) the words “Hazardous Waste” and (2) an indication of the associated hazards.

**(2) Emergency Response Preparedness**

(i) Data items:

SQGs must attempt to coordinate with local response agencies, and maintain records documenting these arrangements with local emergency responders, or if no arrangement exists, that attempts were made to set up this arrangement.

(ii) Respondent activities:

SQGs have to document active arrangements with local emergency management authorities, or if no arrangement exists, that attempts were made to set up this arrangement.

Section 262.16(b)(8–9) requires that, in the event of a fire, SQGs must call the fire department or attempt to extinguish it using a fire extinguisher. These same sections require SQGs to immediately notify the National Response Center in the event of a fire, explosion, or other release which could threaten human health outside the facility or when the generator has knowledge that a spill has reached surface water. These same sections also require SQGs to document if State or local authorities decline to enter into arrangements to become familiar with the site and require SQGs to post emergency information near the phone.

(i) Data items

The data items required in making this report are:

- Documentation of attempts to coordinate with emergency responders including instances where local officials decline to enter into arrangements for coordinating response.
- The name, address, and US EPA identification number of the generator;
- Date, time, and type of incident;
- Quantity and type of hazardous waste involved in the incident;
- Extent of injuries, if any; and
- Estimated quantity and disposition of recovered materials, if any.

Other data items include:



- Notification to fire department.
- Emergency information by the phone.

(ii) Respondent activities

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

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

**(3) Requests for Extensions of the Accumulation Period**

Section 262.16(d) allows SQGs to apply for up to a 30-day extension of the 180- or 270-day accumulation period limit. At the discretion of the Regional Administrator, these extensions will be granted in a case-by-case basis.

(i) Data items

The data items required in making this request are:

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

(ii) Respondent activities

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

- Prepare and submit the request to the Regional Administrator.

**(4) Drip Pad and Containment Building Requirements for SQGs**

(i) Data items:

SQGs that use drip pads or containment buildings must remove waste at least once every 90 days and comply with the 180-day accumulation area requirements (or 270-day limit if transporting or offering waste for transportation over a distance of 200 miles or more), and all other applicable requirements of section 262.16. Otherwise, SQGs that accumulate hazardous waste on drip pads must comply with all

requirements of part 265 subpart W including contingency plan, assessment, upgrading, repair, and release-related information collection requirements.

SQGs that accumulate hazardous waste in containment buildings must, (1) comply with the LQG 90-day accumulation limit (as opposed to the SQG 180-day accumulation limit); (2) place a label in a conspicuous place with the words “hazardous waste,” and an indication of the hazard; (3) maintain the professional engineer certification that the building complies with section 265.1101; (4) keep a written description of the procedure and description of facility activities to ensure that each waste volume remains in the unit for no more than 90 days, or documentation that the unit is emptied at least once every 90 days; and (5) maintain inventory logs or records with the above information on site and readily available for inspection.

(ii) Respondent activities:

SQGs that accumulate hazardous waste on drip pads must remove the waste at least once every 90 days and comply with the requirements in section 262.16(b) as well as the design, assessment, and contingency plan requirements in part 265 Subpart W. SQGs that accumulate hazardous waste in containment buildings must remove it at least once every 90 days and comply with the 180-day accumulation time limit, comply with the labeling requirements, and maintain certifications, records and inventory on site and readily available for inspection.

• .....**TRANSFER FACILITY REQUIREMENTS**

**(1) Labeling**

(i) Data items:

Transporters that store manifested shipments of hazardous waste in containers at a transfer facility for a period of ten days or less are not subject to the regulation under parts 264, 265, 267, 268, and 270. However, transporters using a transfer facility when consolidating the contents of two or more containers with the same hazardous waste into a new container, or when combining and consolidating two different hazardous wastes that are compatible with each other, must label all containers with (1) the words “Hazardous Waste” (2) the applicable EPA hazardous waste codes and (3) the hazards of the contents of the containers.

While this provision requires transporters to label bulk/mixed wastes, the labeling/marketing requirements will assure that all hazardous wastes that transporters receive from SQGs and LQGs meet these labeling requirements. Thus, transporters will only incur additional costs under this provision for consolidating waste received from generators. Furthermore, EPA estimates that the vast majority of hazardous waste containers held at transfer facilities for ten days or less are simply held temporarily and then shipped out.

(ii) Respondent activities:

Transporters are required to label bulk/mixed wastes received from generators that are consolidated at transfer facilities with the following information: (1) the words “Hazardous Waste” (2) the applicable EPA hazardous waste codes, and (3) the hazards of the contents of the containers.

.....**RECORDKEEPING AND REPORTING REQUIREMENTS**

**(1) Types of Records and Recordkeeping Duration**

40 CFR part 262 subpart D requires LQGs to keep records that may be reviewed by EPA during inspections, and to report additional information as required by the Administrator. Section 262.40 requires generators to keep a copy of items, such as signed manifests, BR, and records of test results, for at least three years. Section 262.43 requires LQGs to furnish additional reports regarding the volume and nature of their hazardous wastes as deemed necessary. SQGs are subject to the same recordkeeping and reporting requirements as LQGs except for the Biennial Report.

(i) Data items

LQGs and SQGs are required to maintain a copy of the signed manifests, test results used to determine generator category, and exception reports, for a period of at least three years. The Administrator may require additional reporting, as deemed necessary, concerning the quantities and disposition of wastes identified or listed in 40 CFR part 261.

(ii) Respondent activities

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

- Maintain copies of signed manifests, BR (if an LQG), and exception reports for at least three years,
- Maintain the test results, waste analyses, or other determinations for at least three years; and
- Gather and provide any additional information requested by the Administrator.

**(2) Closure**

(i) Data items:

LQGs are required to notify EPA or an authorized state agency at least 30 days prior to closure of the facility and subsequently within 90 days after closure that they have either clean closed their generator storage areas, or if they cannot clean close, that they have closed as a landfill. LQGs must comply with general closure provisions (§265.111 and §265.114), which require removing and decontaminating all contaminated equipment, structures, and soil to minimize the need for further maintenance and prevent post-closure release of hazardous waste or constituents into the environment. LQGs storing or treating waste in tanks, drip pads, and containment buildings are also subject to closure requirements specific to these types of units.

(ii) Respondent activities:

Facilities must submit to EPA or an authorized state agency notification at least 30 days prior to closure and subsequent documentation within 90 days after closure that they have either clean closed their generator storage areas, or if they cannot clean close, that they have closed as a landfill. LQGs must also document in their operating record if they close any waste accumulation units prior to the facility closure. If an LQG needs an extension to the 90-day closure period, they must submit a request with the EPA

administrator within 75 days of closing.

.....**FLEXIBILITIES FOR VSQGs AND SQGs**

**(1) Intra-organizational Transfers**

(i) Data items:

To afford greater flexibility to VSQGs, EPA is allowing VSQGs to send their hazardous waste to an LQG under the control of the same person, provided that both the VSQG(s) and LQG comply with certain conditions. The VSQG conditions found in section 262.14(a)(5)(viii) are as follows:

- A participating VSQG must label containers with the words “VSQG Hazardous Waste,” and
- An indication of the hazards of a container’s contents.

According to section 262.17(f), an LQG consolidating hazardous waste from one or more VSQGs under the same organizational structure must:

- Submit a notification to EPA or their authorized state identifying the names, addresses, and contact information for the VSQGs that will be transferring hazardous waste to the LQG;
- Maintain records of all hazardous waste received from VSQGs that include the name, address, and contact information for each VSQG, as well as information on the quantity of each waste shipment received;
- Mark shipments from VSQGs with the date the hazardous waste was received from the VSQG;
- Manage all incoming VSQG hazardous waste in compliance with the regulations applicable to their LQG status;
- Include hazardous waste received from VSQGs in the receiving LQG’s BR submissions (which may result in the inclusion of additional GM forms).

(ii) Respondent activities:

VSQGs must perform the following activities:

- Label containers with the relevant required information.

LQGs must perform the following activities:

- Notify EPA or their authorized state of any VSQG that will be transferring waste;
- Maintain records of all hazardous waste received from VSQGs;
- Mark the date the hazardous waste was received from the VSQGs;
- Complete and submit GM forms for each VSQG waste stream managed along with the BR submission.

**(2) Episodic Generation**

(i) Data items:

To provide greater flexibility to VSQGs and SQGs that generate some of their hazardous waste on an episodic basis, EPA is allowing a VSQG or an SQG to maintain its existing

generator size category in the event of a planned or unplanned episodic event in which the facility generates a quantity of hazardous waste in a calendar month that will otherwise elevate the facility to a more stringent regulatory category. To take advantage of this provision, an SQG or VSQG is subject to the following conditions, described in part 262 subpart L:

- Limit of no more than one planned and one unplanned episodic event per calendar year each lasting no more than 60 days (generators must petition for a second episodic event);
- Notification to EPA or the authorized state at least 30 calendar days prior to initiating a planned episodic event or within 72 hours of an unplanned episodic event;
- VSQGs must obtain a RCRA ID number;
- Facilities must meet the following accumulation standards:
  - o VSQGs must mark containers with the date the episodic event began; label containers “Episodic Hazardous Waste;” manage hazardous waste in a manner that minimizes the possibility of a fire, explosion, or release of hazardous waste; ensure that tanks are in good condition and compatible with the hazardous waste stored within; and identify an emergency coordinator for the duration of the event;
  - o SQGs must mark the container or tank log book with the date the episodic event began; label the container or write in the tank log book “Episodic Hazardous Waste” and indicate the hazards of the contents; and comply with the applicable accumulation conditions for SQGs;
- Hazardous waste generated from the episodic event must be managed on-site and manifested and shipped off-site to a permitted TSDF;
- Facilities must complete and maintain records that include (1) the beginning and end dates of the event, (2) a description of the event, (3) the types and quantities of hazardous wastes generated at the event, (4) a description of how the hazardous waste was managed, and (5) name(s) of hazardous waste transporters that transported the waste to a permitted TSDF.

(ii) Respondent activities:

VSQGs must perform the following activities, according to sections 262.232(a) and 262.233:

- Label containers with the relevant required information;
- Complete manifests for hazardous wastes managed off-site;
- Complete and maintain records of all hazardous wastes managed during the episodic event; and
  - Complete and submit a petition for a second event if required.

SQGs must perform the following activities, according to sections 262.232(b) and 262.233:

- Label containers with the relevant required information,
- Complete and maintain records of all hazardous wastes managed during the episodic event; and
  - Complete and submit a petition for a second event if required.

.....**EXPORTS AND IMPORTS OF HAZARDOUS WASTES**

The requirements in sections 262.80 - .84 apply to the transboundary movements of hazardous wastes (exporters and importers). Section 262.83 contains the requirements for exporters. Section 262.84 contains the requirements for importers.

### **(1) CDX Registration**

- Data Items:

EPA Central Data Exchange (CDX) registration is required for all exporters and any importers submitting electronic notices. Electronic notice submittal is required for all exporters. Electronic notice submittal is highly encouraged for all importers needing to submit an import notice, and currently all U.S. importers needing to submit such notices are using the electronic notice submittal method. Each entity required to submit documents electronically will need to register to use the system. To the extent that the Cross Media Electronic Reporting Rule (CROMERR) applies, each submittal will require that the exporter or importer provide an electronic signature.

Under the rule, EPA estimates that any staff involved in the reporting of export/import notices, annual reports, or other required documents would have to register using the electronic receiving system. If identity proofing fails, registrants are routed to an “electronic signature agreement” form that is completed on the computer, printed out, signed, and then mailed to EPA. In addition, EPA estimates that 10 percent of users will have to update their information each year. EPA also estimates that 10 percent of users will have to register as new users due to employee turnover and 1 percent of users will have to re-register due to compromised signatures each year.

- Respondent Activities:

All users will need to register using EPA’s electronic receiving system and update their information when necessary. EPA estimates that importers will have an average of 4.8 users and exporters will have an average of 5.1 users.<sup>2</sup> If identity proofing fails, the user will need to print and complete a document, sign it, and mail it to EPA.

### **(2) Notification of Intent to Export**

Section 262.83(b) requires the exporters of hazardous wastes to submit a signed notification of intent to export.

- (i) Data items

The data items required by this notification include:

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<sup>2</sup> EPA estimates that large firms will have 6 employees and small firms will have 3 employees register to use the EPA’s electronic receiving system. The estimates of 4.7 and 5 users per entity are based on the distribution of large and small firms among potentially affected importers and exporters based on data collected from Dun & Bradstreet (D&B).

- The name, address, telephone number, fax number, email address, and EPA ID number of the exporter;
- The name, address, telephone number, fax number, email address, technologies employed, and the applicable recovery or disposal operations as defined in §262.81 for the final foreign receiving facility, and for the interim foreign receiving facility if there is one;
- The name (if not the owner or operator of the initial foreign receiving facility), address, telephone, fax numbers, and email address of the foreign importer; and
- Intended transporter(s) and/or their agent(s); address, telephone, fax, and email address;
- “U.S.” as the country of export name, “USA01” as the relevant competent authority code, and the intended U.S. port(s) of exit;
- The ISO standard 3166 country name 2-digit code, OECD/Basel competent authority code, and the ports of entry and exit for each country of transit;
- The ISO standard 3166 country name 2-digit code, OECD/Basel competent authority code, and port of entry for the country of import;
- Statement of whether the notification covers a single shipment or multiple shipments;
- Start and End Dates requested for the export shipments reflecting either the standard 12-month consent period or up to a 3-year consent period for shipments to foreign facilities in an OECD member country that are preapproved by the country to receive shipments for recovery from another OECD member country;
- Expected number or frequency of shipments;
- Means of transport planned to be used, including the types of containers containing the hazardous wastes;
- For each hazardous waste:
  - A description of the hazardous waste, applicable RCRA waste code(s), the applicable OECD waste code from the lists incorporated by reference in 40 CFR 260.11, and the United Nations/U.S. Department of Transportation (DOT) ID number;
  - The estimated total requested quantity to be shipped over the requested consent period; and
  - The recovery or disposal operation(s) to be used as defined in §262.81.
- Certification signed by the exporter that states that the information is complete and correct, that legally enforceable written contractual obligations have been entered into, and that any applicable insurance or other financial guarantee (if required by the country of import) is or shall be in force covering the transboundary movement.

(ii) Respondent activities

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

- Collect information; and
- Prepare, then electronically sign and submit a notification in EPA’s Waste Import Export Tracking System (WIETS) at least 60 days before the initial shipment is intended to be shipped off site. To the extent that the notification is requesting renewal of a previous consent, the exporter can duplicate the previous notification in WIETS and make any needed changes prior to electronic signature and submittal. EPA estimates that 60 percent

of exporters will be able to take advantage of this duplication feature and incur no additional burden for providing supplemental information in WIETS. The remaining 40 percent of exporters will have to enter this information for each new export notice.

## **(2) Re-notification of Intent to Export**

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

### **(i) Data items**

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

### **(ii) Respondent activities**

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

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

## **(3) Re-notification of Intent to Export**

Exporters are also required to notify EPA should certain information on the notification be modified, such as an increase of the volume of hazardous wastes shipped or the desired use of an additional transporter, before the hazardous wastes are exported (§262.83(b)(4)).

### **(i) Data items**

- Duplicated and modified notification electronically signed and submitted to EPA reflecting the requested changes. EPA will inform the countries of import and transit of the changes if their consent is needed for the changes and, upon their consent, forward to the primary exporter a new EPA Acknowledgment of Consent.

### **(ii) Respondent activities**

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

- Collect change to export information; and



- Prepare, then electronically sign and submit a re-notification noting requested changes.

#### **(4) Exception Reports**

Under section 262.83(e), if a shipment cannot be completed in accordance with the terms of the contract or the consent(s) and alternative arrangements cannot be made to recover or dispose of the waste in an environmentally sound manner in the country of import, the exporter must ensure that the hazardous waste is returned to the United States or re-exported to a third country. If the waste must be returned, the exporter must provide for the return of the hazardous waste shipment within ninety days from the time the country of import informs EPA of the need to return the waste or such other period of time as the concerned countries agree. In all cases, the exporter must submit an exception report to EPA in accordance with section 262.83(h). Per section 262.83(h), the exporter must file an exception report in lieu of the requirements of §262.42 (if applicable) with EPA if any of the following occurs:

- The exporter has not received a copy of the RCRA hazardous waste manifest (if applicable) signed by the transporter identifying the point of departure of the hazardous waste from the United States, within forty-five (45) days from the date it was accepted by the initial transporter, in which case the exporter must file the exception report within the next thirty (30) days;
- The exporter has not received a written confirmation of receipt from the foreign receiving facility in accordance with section 262.83(d) within ninety (90) days from the date the waste was accepted by the initial transporter in which case the exporter must file the exception report within the next thirty (30) days; or
- The foreign receiving facility notifies the exporter, or the country of import notifies EPA, of the need to return the shipment to the U.S. or arrange alternate management, in which case the exporter must file the exception report within thirty (30) days of notification, or one (1) day prior to the date the return shipment commences, whichever is sooner.

##### **(i) Data items**

An exception report containing the following data:

- A legible copy of the manifest for the shipment for which the exporter (if the generator) has not received a copy of the manifest signed by the transporter identifying the point of departure within forty-five (45) days from the date it was accepted by the initial transporter;
- A legible copy of the movement document for the shipment for which the exporter has not received a copy of the movement document signed by the foreign receiving facility confirming receipt within ninety (90) days from the date it was accepted by the initial transporter; or
- A legible copy of the movement document for the shipment for which the exporter has been informed by either the foreign receiving facility or EPA that the shipment must be managed by an alternate facility in the country of import or returned to the United States.
- A cover letter signed by the exporter or his authorized representative explaining the efforts taken to locate the hazardous waste shipment and the results of those efforts, or the plans for alternate management or return of the rejected shipment.

(ii) Respondent activities

In order to comply with the manifest requirements, the exporter must undertake the following tasks:

- Preparing and submitting a signed cover letter explaining the efforts taken to locate the hazardous waste shipment and the results of those efforts, or the plans for alternate management or return of the rejected shipment, along with a copy of the RCRA manifest and/or movement document; and

**(5) International Movement Document**

Under section 262.83(d), exporters of hazardous wastes must provide information and ensure use of a movement document through contracts. This is in addition to the RCRA manifest requirements (OMB Control No. 2050-0039).

(i) Data items

- The corresponding consent number(s) and hazardous waste number(s) for the listed hazardous waste from the relevant EPA AOC(s);
- The shipment number and the total number of shipments from the EPA AOC;
- Exporter name and EPA identification number, address, telephone, fax numbers, and email address;
- Foreign receiving facility name, address, telephone, fax numbers, email address, technologies employed, and the applicable recovery or disposal operations as defined in §262.81;
- Foreign importer name (if not the owner or operator of the foreign receiving facility), address, telephone, fax numbers, and email address;
- Description(s) of each hazardous waste, quantity of each hazardous waste in the shipment, applicable RCRA hazardous waste code(s) for each hazardous waste,

applicable OECD waste code for each hazardous waste from the lists incorporated by reference in 40 CFR 260.11, and the United Nations/U.S. Department of Transportation (DOT) ID number for each hazardous waste;

- Date movement commenced;
- Name (if not exporter), address, telephone, fax numbers, and email of company originating the shipment;
- Company name, EPA ID number (if operating in the U.S.), address, telephone, fax, and email address of all transporters;
- Identification of means of transport, including types of packaging; and
- Any special precautions to be taken by transporter(s).

(ii) Respondent activities

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

- Complete the additional information for the movement document.

**(6) Contracts**

Under section 262.83(f), exporters must establish a contract, chain of contracts, or equivalent arrangements (when the movement occurs between parties controlled by the same corporate or legal entity) to be executed by the exporter, foreign importer (if different from the foreign receiving facility), and the owner or operator of the foreign receiving facility, specifying the parties relevant to the shipments and the various legal responsibilities of each party involved to ensure compliance with the export requirements. Routine submittal of contracts to EPA is not required.

(i) Data items

- Contracts or equivalent arrangements must specify the name and EPA ID number, where available, of the following:
  - The company from where each export shipment of hazardous waste is initiated;
  - Each person who will have physical custody of the hazardous wastes;
  - Each person who will have legal control of the hazardous wastes; and
  - The foreign receiving facility.
- Contracts or equivalent arrangements must specify which party to the contract will assume responsibility for alternate management of the hazardous wastes if their disposition cannot be carried out as described in the notification of intent to export. In such cases, contracts must specify that:
  - The transporter or foreign receiving facility having actual possession or physical control over the hazardous wastes will immediately inform the exporter, EPA, and either the

competent authority of the country of transit or the competent authority of the country of import of the need to make alternate management arrangements; and

--The person specified in the contract will assume responsibility for the adequate management of the hazardous wastes in compliance with applicable laws and regulations including, if necessary, arranging the return of hazardous wastes and, as the case may be, shall provide the notification for re-export to the competent authority in the country of import and include the equivalent of the information required in section 262.83(b), the original consent number issued for the initial export of the hazardous wastes in the notification, and obtain consent from EPA and the competent authorities in the new country of import and any transit countries prior to re-export.

- Contracts must specify that the foreign receiving facility send a copy of the signed movement document to confirm receipt within three working days of shipment delivery to the exporter and to the competent authorities of the countries of import and transit. For contracts that will be in effect on or after the electronic import-export reporting compliance date, the contracts must additionally specify that the foreign receiving facility send a copy to EPA at the same time using the allowable methods listed in paragraph (b) (1) of this section on or after that date.
- Contracts must specify that the foreign receiving facility shall send a copy of the signed and dated confirmation of recovery or disposal, as soon as possible, but no later than thirty days after completing recovery or disposal on the waste in the shipment and no later than one calendar year following receipt of the waste, to the exporter and to the competent authority of the country of import. For contracts that will be in effect on or after the electronic import-export reporting compliance date, the contracts must additionally specify that the foreign receiving facility send a copy to EPA at the same time using the allowable methods listed in paragraph (b)(1) of this section on or after that date.
- Contracts must specify that the foreign importer or the foreign receiving facility that performed interim recycling operations R12, R13, or RC16, or interim disposal operations D13 through D15 or DC17, (recovery and disposal operations defined in 40 CFR 262.81) as appropriate, will:

--Provide the notification required in paragraph (f)(3)(ii) of this section prior to any re-export of the hazardous wastes to a final foreign recovery or disposal facility in a third country; and

--Promptly send copies of the confirmation of recovery or disposal that it receives from the final foreign recovery or disposal facility within one year of shipment delivery to the final foreign recovery or disposal facility that performed one of recovery operations R1 through R11, or RC16, or one of disposal operations D1 through D12, DC15 or DC16 to the competent authority of the country of import. For contracts that will be in effect on or after the electronic import-export reporting compliance date, the contracts must additionally specify that the foreign facility send copies to EPA at the same time using the allowable method listed in paragraph (b)(1) of this section on or after that date.

- Contracts or equivalent arrangements must include provisions for financial guarantees, if required by the competent authorities of the country of import and any countries of transit, in accordance with applicable national or international law requirements.
- Contracts or equivalent arrangements must contain provisions requiring each contracting party to comply with all applicable requirements of this subpart.

(ii) Respondent Activities

- Prepare and execute contract.

**(7) Additional Reporting**

Under section 262.83(b)(8), EPA may request that exporters submit additional information, as requested by the country of import.

(i) Data items

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

(ii) Respondent activities

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

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

**(8) Annual Report Requirements**

Section 262.83(g) requires exporters of hazardous wastes to file an Annual Report with the Administrator summarizing hazardous waste export activities conducted during the previous calendar year.

(i) Data items

The following data items must be reported annually:

- The EPA identification number, name, and mailing address and site address of the exporter;
- The calendar year covered by the report;
- The name and site address of each foreign receiving facility;
- For each foreign receiving facility, the following data for each hazardous waste exported:  
--A description of the hazardous waste,

- The applicable RCRA hazardous waste code(s),
- The applicable OECD waste code from the lists incorporated by reference in 40 CFR 260.11,
- The DOT ID number,
- The name and US EPA ID number (where applicable) for each transporter used,
- The consent number(s) under which the hazardous waste was shipped, and for each consent number, the total amount of the hazardous waste and the number of shipments exported during the calendar year covered by the report;
- In even numbered years, a description of efforts undertaken to reduce the volume and toxicity of wastes generated, as well as a description of any variation in the volume and toxicity of wastes relative to previous years (not applicable to SQGs, or to LQGs that submitted this information in a Biennial Report); and

- A signed certification.

(ii) Respondent activities

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

- Research the information needed for SQGs and LQGs; and
- Review the draft Annual Report in WIETS, correct or amend as needed, then electronically sign and submit the final Annual Report to EPA.

**(9) Automated Export System (AES) Filing Requirements**

Exporters or a U.S. authorized agent must file between two (2) and five (5) additional RCRA related items as part of the export shipment filing required under U.S. Department of Commerce Census Bureau (Census Bureau) regulations at 15 CFR Part 30. The AES filing, which is required for all shipments that have a value in excess of \$2,500 or that are required to be shipped under an export license issued by a federal agency, must be filed prior to arrival at the U.S. port of exit, similar to the current export requirements. The EPA AOC letter meets the Census Bureau's regulatory definition of an export license.

(i) Data items

The following items must be filed along with the other information required under 15 CFR 30.6:

- EPA license code;
- RCRA manifest tracking number, if the shipment is required to be RCRA manifested;
- For each hazardous waste in the shipment,

--EPA waste stream consent number, and  
 --EPA net quantity and reporting units (i.e., units of kilograms if solid or units of liters if liquid), if Census Bureau required reporting under 15 CFR 30.6(a)(15) are not in units of weight or volume.

(ii) Respondent activities

In order to comply with the AES filing requirements, the exporter must undertake the following tasks:

- Prepare and file the additional RCRA related items as part of the AES filing required for each export shipment shipped under an EPA AOC letter.

**(10) Recordkeeping Requirements**

Section 262.83(i) requires all exporters to keep a copy of certain documents for a period of at least three years (or longer if requested by the Administrator or if related to an activity subject to an enforcement action):

(i) Data items

The following records must be kept:

- A copy of each notification of intent to export and each EPA AOC for a period of at least three (3) years from the date the hazardous waste was accepted by the initial transporter;
- A copy of each annual report for a period of at least three (3) years from the due date of the report;
- A copy of any exception reports and a copy of each confirmation of receipt (i.e., movement document) sent by the foreign receiving facility to the exporter for at least three (3) years from the date the hazardous waste was accepted by the initial transporter; and
- A copy of each confirmation of recovery or disposal sent by the foreign receiving facility to the exporter for at least three (3) years from the date that the foreign receiving facility completed interim or final processing of the hazardous waste shipment.
- A copy of each contract or equivalent arrangement established per section 262.83(f) for at least three (3) years from the expiration date of the contract or equivalent arrangement.

(ii) Respondent activities

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

- File and maintain the documents for a period of at least three years. Notifications, EPA AOC letters, and Annual Reports created and stored in WIETS may be used to meet the recordkeeping requirements per section 262.83(i)(2) provided copies of the documents

are available for viewing and production if requested by any EPA or authorized state inspector.

## **(11) Notification of Intent to Import**

Section 262.84(b) requires the importers of hazardous wastes to submit to EPA a signed notification of intent to import at least sixty (60) days before the first shipment is expected to depart the country of export in cases where the country of export does not control the shipment as a hazardous waste export, and thus does not require the foreign exporter to submit an notice proposing export and obtain consent from EPA and the competent authorities for the countries of transit.

### **(i) Data items**

The data items required by this notification include:

- The foreign exporter name, address, telephone number, fax number, and email address;
- The name, EPA ID number, address, telephone number, fax number, email address, technologies employed, and the applicable recovery or disposal operations as defined in §262.81 for the U.S. final receiving facility, and for the U.S. interim receiving facility if there is one;
- The name (if not the owner or operator of the initial U.S. receiving facility), address, EPA ID number, telephone number, fax number, and email address of the U.S. importer; and
- Intended transporter(s) and/or their agent(s); address, telephone, fax, and email address;
- “U.S.” as the country of import name, “USA01” as the relevant competent authority code, and the intended U.S. port(s) of entry;
- The ISO standard 3166 country name 2-digit code, OECD/Basel competent authority code, and the ports of entry and exit for each country of transit;
- The ISO standard 3166 country name 2-digit code, OECD/Basel competent authority code, and port of exit for the country of export;
- Statement of whether the notification covers a single shipment or multiple shipments;
- Start and End Dates requested for the export shipments reflecting up to the standard 12-month consent period;
- Expected number or frequency of shipments;
- Means of transport planned to be used, including the types of containers containing the hazardous wastes;
- For each hazardous waste:
  - A description of the hazardous waste, applicable RCRA waste code(s), the applicable OECD waste code from the lists incorporated by reference in 40 CFR 260.11, and the United Nations/U.S. Department of Transportation (DOT) ID number;
  - The estimated total requested quantity to be shipped over the requested consent period; and
  - The recovery or disposal operation(s) to be used as defined in §262.81.
- Certification signed by the importer that states that the information is complete and correct, that legally enforceable written contractual obligations have been entered into, and that any applicable insurance or other financial guarantee (if required by the country of export) is or shall be in force covering the transboundary movement.



(ii) Respondent activities

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

- Collect information; and
- Prepare, then electronically sign and submit a notification in EPA's Waste Import Export Tracking System (WIETS) at least 60 days before the initial shipment is intended to depart the country of export. While not yet required, currently all U.S. importers are submitting such notices electronically in WIETS. To the extent that the notification is requesting renewal of a previous consent, the importer can duplicate the previous notification in WIETS and make any needed changes prior to electronic signature and submittal. EPA estimates that 60 percent of importers will be able to take advantage of this duplication feature and incur no additional burden for providing supplemental information in WIETS. The remaining 40 percent of importers will have to enter this information for each new import notice.

**(12) Re-notification of Intent to Import**

Importers are also required to notify EPA should certain information on the notification be modified, such as an increase of the volume of hazardous wastes shipped or the desired use of an additional transporter, before the hazardous wastes are imported (§262.84(b)(3)).

(i) Data items

- Duplicated and modified notification electronically signed and submitted to EPA reflecting the requested changes. EPA will inform the countries of transit of the changes if their consent is needed for the changes and, upon their consent, forward to the importer a new EPA Acknowledgment of Consent.

(ii) Respondent activities

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

- Collect change to import information; and
- Prepare, then electronically sign and submit a re-notification noting requested changes.

**(13) International Movement Document**

Under section 262.84(d), importers of hazardous wastes must provide information and ensure use of a movement document through contracts. This is in addition to the RCRA manifest requirements (OMB Control No. 2050-0039).

(i) Data items

- The corresponding consent number(s) and hazardous waste number(s) for the listed hazardous waste from the relevant EPA AOC(s);
- The shipment number and the total number of shipments from the EPA AOC;
- Foreign exporter name, address, telephone number, fax number, and email address;
- U.S. initial receiving facility name, EPA ID number, address, telephone number, fax number, email address, technologies employed, and the applicable recovery or disposal operations as defined in §262.81;
- U.S. importer name (if not the owner or operator of the U.S. initial receiving facility), EPA ID number, address, telephone number, fax number, and email address;
- Description(s) of each hazardous waste, quantity of each hazardous waste in the shipment, applicable RCRA hazardous waste code(s) for each hazardous waste, applicable OECD waste code for each hazardous waste from the lists incorporated by reference in 40 CFR 260.11, and the United Nations/U.S. Department of Transportation (DOT) ID number for each hazardous waste;
- Date movement commenced;
- Name (if not foreign exporter), address, telephone, fax numbers, and email of foreign company originating the shipment;
- Company name, EPA ID number (if operating in the U.S.), address, telephone, fax, and email address of all transporters;
- Identification of means of transport, including types of packaging; and
- Any special precautions to be taken by transporter(s).

(ii) Respondent activities

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

- Complete the additional information for the movement document.

**(14) Contracts**

Under section 262.84(f), importers must establish a contract, chain of contracts, or equivalent arrangements (when the movement occurs between parties controlled by the same corporate or legal entity) to be executed by the foreign exporter, importer (if different from the initial receiving facility), and the owner or operator of the interim and final receiving facilities, specifying the parties relevant to the shipments and the various legal responsibilities of each party involved to ensure compliance with the import requirements. Routine submittal of contracts to EPA is not required.

Data items

- Contracts or equivalent arrangements must specify the name and EPA ID number, where available, of the following:

--The foreign company from where each import shipment of hazardous waste is initiated;

--Each person who will have physical custody of the hazardous wastes;

--Each person who will have legal control of the hazardous wastes; and

--The interim and final receiving facilities.

- Contracts or equivalent arrangements must specify the use of a movement document in accordance with section 262.84(d);
- Contracts or equivalent arrangements must specify which party to the contract will assume responsibility for alternate management of the hazardous wastes if their disposition cannot be carried out as described in the notification submitted by either the foreign exporter or U.S. importer. In such cases, contracts must specify that:

--The transporter or receiving facility having actual possession or physical control over the hazardous wastes will immediately inform the foreign exporter, importer, and the competent authority where the shipment is located of the need to arrange alternate management or return of the shipment; and

--The person specified in the contract will assume responsibility for the adequate management of the hazardous wastes in compliance with applicable laws and regulations including, if necessary, arranging the return of the hazardous wastes and, as the case may be, shall provide the notification for re-export required in section 262.83(b)(7).

- Contracts must specify that the importer or the receiving facility that performed interim recycling operations R12, R13, or RC16, or interim disposal operations D13 through D15 or DC15 through DC17, as appropriate, will provide the notification required in section 262.83(b)(7) prior to the re-export of hazardous wastes. The recovery and disposal operations in this paragraph are defined in §262.81.
- Contracts or equivalent arrangements must include provisions for financial guarantees, if required by the competent authorities of the country of export and any countries of transit, in accordance with applicable national or international law requirements.
- Contracts or equivalent arrangements must contain provisions requiring each contracting party to comply with all applicable requirements of this subpart.

#### (ii) Respondent Activities

- Prepare and execute contract.

### (15) Recordkeeping Requirements

Section 262.84(h) requires all importers to keep a copy of certain documents for a period of at least three years (or longer if requested by the Administrator or if related to an activity subject to an enforcement action):

#### (i) Data items

The following records must be kept:

- A copy of each notification of intent to import and each EPA AOC for a period of at least three (3) years from the date the hazardous waste was accepted by the initial foreign transporter;
- A copy of each contract or equivalent arrangement established per section 262.84(f) for at least three (3) years from the expiration date of the contract or equivalent arrangement.

(ii) Respondent activities

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

- File and maintain the documents for a period of at least three years. Notifications and EPA AOC letters created and stored in WIETS may be used to meet the recordkeeping requirements per section 262.84(h)(3) provided copies of the documents are available for viewing and production if requested by any EPA or authorized state inspector.

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

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

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

#### ***HAZARDOUS WASTE DETERMINATION REQUIREMENTS***

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

#### ***LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS***

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

Agency activities associated with emergency reporting requirements include reviewing documents in the emergency coordinators' emergency reports and the facility's contingency plan.

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

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

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

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

- Evaluate information submitted for exemption from 24-hour waste removal requirement;
- Review existing tank integrity assessments;
- Review new tank design and installation assessments;
- Review release notification reports;
- Review major repair certifications; and
- Review requests for accumulation period extensions.

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

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

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

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

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

Also, the Agency would also review requests for extensions of the accumulation period under section 262.17(b).

## ***LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS***

### **(1) Air Emissions from Process Vents**

There are no Agency activities associated with the requirements for generators with process vents. Although EPA will examine monitoring documentation, control device documentation, waste

determination documentation, and information required in the operating record during periodic inspections, these activities are part of EPA's overall compliance and enforcement program. Therefore, the cost associated with these activities is not attributable to subpart AA.

## **(2) Air Emissions from Equipment Leaks**

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

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

## ***SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS***

The Agency activities associated with SQG pre-transport requirements include reviewing requests for extensions of the accumulation period under section 262.16(d). No other information is required to be submitted to EPA (SQG notification requirements include contacting the National Response Center, operated by the Coast Guard).

## ***RECORDKEEPING AND REPORTING***

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

## ***EXPORT AND IMPORT REQUIREMENTS***

Agency activities associated with exports and imports are listed below. During compliance inspections, the Agency will also review records kept on site.

Exports from the U.S.:

- Review of the notification for completeness and submittal of the notification to the country of import and any country of transit, in conjunction with the Department of State if the proposed shipment is not covered under the terms of an international agreement in which both the U.S. and the country of import participate;
- Receive and record the Acknowledgment of Receipt from the importing country;
- Receive and review the consent (or refusal) of the country of import and any transit countries to the receipt and transit of the hazardous waste;

- Generate and transmit an EPA AOC letter (or an EPA letter of objection) based on the country responses to the exporter;
- Receive and record the movement document received from the foreign recovery facility;
- Receive and record any exception report received from the exporter; and
- Receive and review for completeness the Annual Report received from the exporter.

#### Imports to the U.S.:

- Transmit an Acknowledgment of Receipt to the country of export.
- Receive and review the notification received from either the country of export or the U.S. importer for completeness and compliance with U.S. laws and regulations. Manually enter notification received from the country of export into WIETS.
- Based on review of the notification, generate and transmit an EPA AOC/consent letter (or letter of objection) to either the country of export or the U.S. importer.
- Receive and record the movement document received from the U.S. receiving facility.
- Receive and record the confirmation of recovery or disposal received from the U.S. interim and final receiving facilities.

#### **WIETS Development**

To implement electronic submittals for exports and imports, the most significant cost for EPA is the development and maintenance of the electronic submittal system. Any costs of the CDX system are not described in this ICR because it was developed to facilitate electronic submittal of data between EPA data systems and other entities such as the regulated community and other governments, and is covered under another ICR. EPA estimated in 2016 that the initial development of enhancements to WIETS to facilitate electronic submittal of export and import reports (specifically related to the rule) would cost \$380,000, including staff technician labor costs.<sup>3</sup> This ICR assumes that continued development costs will be incurred related to the following: annual reports, export exception reports, export and import confirmation receipts, export and import confirmations of recovery/disposal, and import notifications regarding need to make alternate arrangements or need to return waste shipment. Costs related to developing reporting capabilities and enhancing reporting and analysis capabilities will also be incurred. It is anticipated the system will have a useful lifespan of 20 years. EPA estimated in 2016 that the recurring O&M costs for the enhancements to WIETS will be \$260,500 per year after its development. Thus, the annualized cost for the enhancement of WIETS is \$299,492 using a 7 percent discount rate. These costs may vary depending on how quickly WIETS is developed.

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<sup>3</sup> EPA cost estimates for the development and operation & maintenance of the electronic system are from the spreadsheet "Cost estimates March 11 2016" provided by Joseph Krahe of EPA's Office of Resource Conservation and Recovery on March 16, 2016. This information is attached as Appendix B of the associated EA.

## **EPA ID**

For recognized traders not located in authorized states that issue EPA ID numbers, EPA will need to review letters from recognized traders of hazardous waste requesting EPA identification numbers, enter this information into a database, generate an EPA ID number, and send it to each requesting recognized trader.

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

The collection and management of the information submitted in paper format to EPA is stored by EPA in file cabinets, while the information submitted electronically is stored and compiled in WIETS. In addition, the information is collected and stored for possible future use in enforcement actions. EPA uses electronic equipment such as personal computers and applicable database software, when appropriate.

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

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

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

#### ***HAZARDOUS WASTE DETERMINATION REQUIREMENTS***

There is no collection schedule for generators' hazardous waste determinations under this data collection effort. Instead, the hazardous waste determination information collection schedule is addressed under Land Disposal Restrictions ICR (OMB Control No. 2050-0085).

#### ***PRE-TRANSPORT REQUIREMENTS (FOR BOTH LQGs AND SQGs)***

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

There is no collection schedule for generators reporting releases of hazardous waste into the environment, as facilities only report on these occasions. The emergency coordinator must immediately notify the appropriate authorities of an imminent or actual emergency situation. An LQG must submit a written report of any incident that requires the implementation of the contingency plan within 15 days of



its occurrence. Since generators are not required to submit their contingency plans to EPA, discussion of a collection schedule for these facilities is not applicable.

Records of tank system assessments, statements on design and installation, and records of annual leak tests and inspections are kept by the LQGs. Therefore, a discussion of a collection schedule is not applicable. The time frame for submitting demonstrations provided under this section is dependent upon the desire of LQGs to submit such demonstrations. However, the regulations do specify time frames for submissions related to certain situations. LQGs must submit release notification reports within 30 days of detecting a release. In addition, the certification of major repairs (required under §265.196(f)) must be submitted within seven days of returning the repaired tank system to use. With regard to drip pads, plans for upgrading drip pads must be prepared 2 years before completion of such repairs, pad assessments must be recertified annually, records of releases must be documented upon detection and notice provided to EPA within 24 hours (written notice in within 10 days), and notice of repairs provided upon completion of such repairs. As for containment buildings, certification that the building meets design requirements is required within 60 days of initiating operation, records of releases must be filed upon detection and notice to EPA provided within 7 days (written notice within 14 days). In addition, monitoring data must be placed in the record every 7 days.

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

### ***LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS***

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

### ***RECORDKEEPING AND REPORTING***

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

### ***EXPORT AND IMPORT REQUIREMENTS***

Under export and import requirements, export/import notifications, export exception reports, confirmations of recovery/disposal, and shipment movement documents are generated and sent to EPA on an occurrence-specific basis for which there is no formalized schedule. The submission of information under this collection is initiated by the respondents. U.S. exporters must file with EPA a detailed annual report on hazardous waste exports, including a signed certification, by March 1st of each year. The recordkeeping regulations in sections 262.83(i) and 262.84(h) do not require the transmittal of any information; a discussion of a schedule regarding this requirement is not applicable.

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

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

This ICR is a comprehensive presentation of all of the information collection activities required for generator standards. To address uncertainties regarding the number of facilities in the potentially affected universe, the amount of hazardous waste that they generate, and several cost-related inputs for this analysis, this ICR estimates costs as a range and presents the upper end of this range based on the high-end estimates for these factors as a means of ensuring that all burden is captured.

Exhibits 1 through 7 estimate the costs to generators based on the cost of labor, operation and maintenance (OM), and capital. EPA estimated respondent burden hours and costs associated with all of the requirements covered in this ICR in the following exhibits: Exhibit 1 addresses both LQG and SQG

respondent burden for reading the regulations; Exhibit 2 addresses LQG pre-transport requirements; Exhibit 3 addresses LQG air emission standards; Exhibit 4 addresses SQG pre-transport requirements; Exhibit 5 addresses VSQG pre-transport requirements, Exhibit 6 addresses LQG and SQG reporting requirements, Exhibit 7 address specific export and import requirements for all generators; Exhibit 8 summarizes total annual aggregate respondent burden and costs for all activities, and exhibit 9 addresses the total annual estimated agency burden and costs.

## 6(b) ESTIMATING ANNUAL RESPONDENT COSTS

### Labor Costs

The labor wage rates used to estimate costs to respondents were calculated as shown in the following table. The 2022 average wage rates from are the average wage rates are reported in the Bureau of Labor Statistics, 2020 National Occupational Employment and Wage Estimate, released May 2020, and updated to 2022 levels.

Labor Category	Non-loaded 2022 hourly rate	Fringe benefits loading multiplier	Overhead loading multiplier	Loaded Hourly rate
1. Legal	\$71.59	1.43	1.336	\$136.77
2. Managerial	\$60.45	1.43	1.336	\$115.49
3. Technical	\$46.58	1.43	1.336	\$88.99
4. Clerical	\$18.16	1.43	1.336	\$34.69

### Capital Costs

EPA estimates that a standard-size, five-drawer, lateral file cabinet holds approximately 16,000 documents. Thus, for storing 575,232 pieces of paper, waste handlers would need 36 file cabinets (i.e., 572,232 /16,000) each year. EPA estimates that the cost of one file cabinet is \$1,176, and for all 36 file cabinets is \$42,336, or \$16,132 annually.

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

EPA estimates an average hourly labor cost (labor plus overhead) of \$86.54 for legal staff, \$62.27 for managerial staff, \$43.68 for technical staff, and \$26.56 for clerical staff. To derive these estimates, EPA used the General Schedule (GS) Salary Table 2022. For purposes of this ICR, EPA assigned staff the following government service levels:

Legal Staff	GS-15, Step 1
Managerial Staff	GS-13, Step 1
Technical Staff	GS-11, Step 1
Clerical Staff	GS-6, Step 1

To derive hourly estimates, EPA divided annual compensation estimates by 2,080, which is the number of hours in the Federal work-year. EPA then multiplied hourly rates by the standard government overhead factor of 1.6.

## 6(d) ESTIMATING THE RESPONDENT UNIVERSE

The following table shows the number of Generators, based on type, from the RCRAInfo system.

GENERATOR TYPE	Number
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## **LARGE QUANTITY GENERATOR AND SMALL QUANTITY GENERATOR REQUIREMENTS (Exhibit 1)**

Under 40 CFR 262.11, all generators must determine whether their solid waste qualifies as hazardous under RCRA.

### **LARGE QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS (Exhibit 2)**

#### **(1) Labeling**

In section 262.17(a)(4) and (5), EPA requires all LQGs to label tanks, containers, and containment buildings with the words “Hazardous Waste,” an indication of the hazard of the contents, and the date accumulation began. EPA expects that all LQGs will comply with this requirement. In section 262.15(a)(5), EPA requires LQGs accumulating hazardous waste at satellite accumulation areas to label containers as specified above. EPA expects that all LQGs will comply with these requirements each year.

#### **(2) Personnel Training**

In section 262.17(a)(7), EPA requires all LQGs to comply with the personnel training requirements in a manner that ensures facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems. Section 262.17(a)(7) require that LQGs maintain copies of personnel training documents and records at their facilities.

#### **(3) Contingency Planning and Emergency Procedures**

This ICR assumes that existing LQGs have already prepared contingency plans. Therefore, only new LQGs will be required to document whether State or local authorities decline to enter into an agreement to become familiar with the LQG's facility and its wastes, and to prepare and maintain a contingency plan and quick reference guide. EPA estimates LQGs will need to make copies of and send the plans to three local authorities, on average. Amendments to contingency plans of LQGs must also be made when appropriate. EPA estimates that about 2 percent of the new LQG entrants will prepare original contingency plans annually, and that 10 percent of the LQG universe will amend their contingency plan annually, during the period covered by this ICR. Based on Emergency Response and Notification System (ERNS) data, the Agency estimates that about 1.7 percent of all LQGs will have emergency incidents requiring implementation of the contingency plan.

#### **(4) Tank Systems**

In section 262.17(a)(2), EPA requires all LQGs that accumulate hazardous waste in tanks for 90 days or less to comply with subpart J of part 265. EPA estimates that 75 percent use containers to accumulate hazardous waste, and the remaining 25 percent use tank systems.

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

In addition, in certain circumstances (e.g., a new tank, a hazardous waste release, or a repair to a tank), LQGs must submit one or more of the following: new tank system assessments and certifications (§265.192); an exemption from the 24-hour leak detection requirement (§265.193(e)(3)(iii)); or release notifications and reports, and major repair certifications (§265.196(d) and (f)).

(5) Drip Pads

Under section 262.17(a)(3), EPA authorizes LQGs to store hazardous waste on drip pads for 90 days or less pursuant to part 265, subpart W. Part 265, subpart W is primarily applicable to those facilities conducting wood preserving operations. EPA expects that most existing wood preserving sites have already conducted the one-time activities (e.g., contingency planning, integrity assessments) required in part 265.

(6) Containment Buildings

Under section 262.17(a)(4), EPA authorizes LQGs to store hazardous waste in containment buildings for 90 days or less pursuant to part 265, subpart DD. Part 265, subpart DD is potentially applicable to all large quantity hazardous waste generators. EPA estimates that approximately 0.1 percent of the LQGs use containment buildings. EPA estimates that 29 percent of these affected facilities will be subject to the recordkeeping and notice requirements associated with hazardous waste releases, and that all of these facilities will require documentation to support compliance with subpart DD requirements.

(7) Requests for Extensions of the Accumulation Period

EPA promulgated regulations in section 262.17(b) allowing LQGs to request extensions (up to 30 days) of the accumulation period limit from the Regional Administrator. EPA estimates that only one percent of all LQGs will request this extension each year.

(8) Intra-Organizational Transfers

**LARGE QUANTITY GENERATOR AIR EMISSION STANDARDS (Exhibit 3)**

(1) Air Emissions from Process Vents

EPA estimates that 1.5 percent of all LQGs generators will be subject to 40 CFR part 265, subpart AA, in light of the applicability requirements of section 265.1030(b)(1-3). Of this estimate, approximately 50 percent of LQGs will be subject to reassessing their implementation schedule, documentation with compliance, and performance plan, among other operating record requirements.

(2) Air Emissions from Equipment Leaks

EPA estimates that up to 28 percent LQGs are subject to 40 CFR part 265, subpart BB requirements – depending on the specific paperwork burden category. All generators subject to subpart BB are required to maintain a unit operating record. The contents of the operating record will vary according to site-specific circumstances.

**SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS (Exhibit 4)**

(1) Labeling

This ICR assumes that all SQGs will need to label their containers and tanks in compliance with the section 262.15(a)(5) and 262.16(b)(6). SQGs will likely use a manual process to label containers with the additional information.

## (2) Emergency Procedures

EPA promulgated regulations in section 262.16(b)(9) requiring SQGs to immediately notify the local fire department and/or National Response Center, as specified, for emergencies. Based on recent ERNS data, EPA estimates that 1.7 percent of all SQGs will report such an event each year.

## (3) Drip Pads

Under section 262.16(b)(4), EPA authorizes SQGs to store hazardous waste on drip pads for 90 days or less pursuant to part 265, subpart W. Part 265, subpart W is primarily applicable to those facilities conducting wood preserving operations. EPA determined the ratio of LQG drip pad operators who will be subject to part 265 subpart W regulations to the total number of LQGs, and applied that ratio to the total number of SQGs to determine the number of SQG drip pad operators that will be subject to the requirements of part 265 subpart W. EPA further expects that one percent of SQGs will prepare a contingency plan for incidental drippage and will have a condition contributing to an actual release of hazardous waste and be subject to the recordkeeping, notification, repair and certification requirements.

## (4) Containment Buildings

Under section 262.16(b)(5), EPA authorizes SQGs to store hazardous waste in containment buildings for 90 days or less pursuant to part 265, subpart DD. Part 265, subpart DD is potentially applicable to all large quantity hazardous waste generators. EPA applied the same methodology described in item three above to determine the number of SQGs that accumulate hazardous waste in containment buildings. EPA estimates that approximately 0.1 percent of the SQGs use containment buildings. EPA estimates that 29 percent of these affected facilities will be subject to the recordkeeping and notice requirements associated with hazardous waste releases, and that all of these facilities will require documentation to support compliance with subpart DD requirements.

## (5) Requests for Extensions of the Accumulation Period

EPA promulgated regulations in section 262.16(d) allowing SQGs to request from the Regional Administrator extensions (up to 30 days) of the accumulation period limit. EPA estimates that one tenth of one percent of all respondents will request an extension each year.

## (6) Intra-organizational Transfers

For VSQGs, the annual burden for labeling containers is 0.5 hours. For LQGs, the one-time burden to notify EPA is 9.0. The annual recordkeeping burden is 0.9 hours. The BR expected annual reporting burden is 10.2 hours.

## (7) Episodic Generation

The estimated burden for SQGs is 8.9 hours per facility.

**VERY SMALL QUANTITY GENERATOR PRE-TRANSPORT REQUIREMENTS  
(Exhibit 5)**

The estimated burden for VSQGs is 9.2 hours per facility.

**RECORDKEEPING AND REPORTING REQUIREMENTS (Exhibit 6)**

LQGs must comply with the recordkeeping and reporting requirements detailed in sections 262.40 through 262.43, and SQGs must comply with the independent requirements in section 262.44.

This ICR does not burden generators for their hazardous waste determinations, since they are already burdened for recordkeeping of test results in the LDR ICR, OMB Control No. 2050-0085. (Refer to the “Hazardous Waste Determination Requirements” in this section for further discussion on EPA’s assumptions.) EPA estimates that one tenth of one percent of all generators will also be required to submit certain additional information (§262.43).

### **EXPORT AND IMPORT REQUIREMENTS (Exhibit 7)**

Based on export notifications tracked by EPA’s Office of Enforcement and Compliance Assurance (OECA), EPA estimates that approximately 702 generators will export hazardous waste each year under 40 CFR 262.53, and .55 - .57, and will be required to notify EPA of their intention to export hazardous waste, file an Annual Report with the Administrator summarizing the types, quantities, frequencies, and ultimate destination of all hazardous wastes exported during the previous years, and keep copies of relevant documents for a period of three years. Data were not available for generators re-notifying under 40 CFR 262.54(g). Exhibit 7 provides estimates on the number of LQGs and SQGs who intend to trade with OECD countries, as well as facilities who imported materials from OECD countries. These data were collected and provided by OECA

### **SUMMARY OF BURDEN HOURS and COSTS**

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

Based on the above assumptions, affected universes and associated labor and operating costs, EPA estimates that 526,035 burden hours and \$42,607,731 (\$42,535,337 in labor and \$72,394 in capital and O&M) will be required annually to support recordkeeping and reporting requirements for large and small quantity generators.

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

The current hourly burden for this ICR is 526,989, which means there is a decrease of 954 hours. This decrease is due to changes in the respondent universe.

#### **6(g) Burden Statement**

The average public reporting under this collection of information is estimated to be .75 hours per respondent. The average public recordkeeping burden under this collection of information is estimated to be .06 hours per respondent. The annual public reporting and recordkeeping burden for this collection of information is estimated to average 3 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 the Agency’s need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection

techniques, EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OLEM-2018-0390, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202)566-1744. An electronic version of the public docket is available at [www.regulations.gov](http://www.regulations.gov). This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OLEM-2018-0390 and OMB Control Number 2050-0035 in any correspondence.



**EXHIBIT 1  
ANNUAL RESPONDENT BURDEN/COST ESTIMATES  
READING THE REGULATIONS**

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$136.77/hr	@ \$115.49/hr	@ \$88.99/hr	@ \$34.69/hr	@ \$0.60/doc	@ \$0.11/page				
Read the Regulations:											
LQGs	21,349	0.25	0.25	0.50	0.00	\$0.00	\$0.00	\$0.00	21,349	\$107.56	\$2,296,298
SQGs	59,800	0.15	0.15	0.40	0.00	\$0.00	\$0.00	\$0.00	41,860	\$73.44	\$4,391,413
TOTAL	N/A	N/A	N/A	N/A	0.00	\$0.00	\$0.00	\$0.00	63,209	varies	\$6,687,711

EXHIBIT 2  
ANNUAL RESPONDENT BURDEN/COST ESTIMATES  
FOR LARGE QUANTITY GENERATORS

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$136.77/hr	@ \$115.49/hr	@ \$88.99/hr	@ \$34.69/hr	@ \$2.16/doc	@ \$0.11/page				
<b>Hazardous Waste Determination Requirements (LQGs and SQGs):</b>											
Test the Waste	0	0.00	0.00	20.00	0.00	\$2.16	\$1.10	\$2,090.79	0	\$3,873.85	\$0
Use Knowledge of the Waste	0	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0
Subtotal	0	0.00	0.00	20.00	0.00	\$0.00	\$0.00	\$0.00	0	\$3,873.85	\$0
<b>Large Quantity Generator</b>											
<b>Pre-Transport Requirements</b>											
<b>Labeling</b>											
Label containers in 90-day accumulation	21,349	0.00	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	21,349	\$88.99	\$1,899,848
Label the containers in satellite accumulation	21,349	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$0.00	10,675	\$44.50	\$949,924
Subtotal	21,349	0.00	varies	1.50	varies	\$0.00	\$0.00	\$0.00	32,024	varies	\$2,849,771
<b>Personnel Training</b>											
Collect job-related data	4,696	0.00	0.00	0.00	0.50	\$0.00	\$0.00	\$0.00	2,348	\$17.35	\$81,452
Maintain information at facility	4,696	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	470	\$3.47	\$16,290
Subtotal	4,696	0.00	0.00	0.00	0.60	\$0.00	\$0.00	\$0.00	2,818	varies	\$97,743
<b>Contingency Planning and Emergency Procedures Requirements</b>											
<b>Contingency Plan</b>											
Collect data required in contingency plan	427	0.00	0.00	2.00	1.00	\$0.00	\$0.00	\$0.00	1,281	\$212.67	\$90,810
Document whether authorities decline arrangement	427	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	43	\$3.47	\$1,481
Write contingency plan	427	0.00	0.00	6.00	2.00	\$0.00	\$0.00	\$0.00	3,416	\$603.32	\$257,618
Maintain contingency plan	21,349	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	2,135	\$3.47	\$74,060
Submit contingency plan to relevant emergency centers	427	0.00	0.00	0.00	0.16	\$2.16	\$3.30	\$0.40	68	\$11.41	\$4,871
Develop and submit quick reference guide to contingency plan to local emergency management authorities	5,940	0.00	0.00	1.50	2.00	\$0.00	\$0.00	\$0.00	20,790	\$202.87	\$1,205,018
Maintain records of arrangement or attempt to make arrangement with local emergency management authorities	5,940	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	594	\$3.47	\$20,606
Amend contingency plan when appropriate	2,134	0.00	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	2,134	\$88.99	\$189,905
<b>Emergency Procedures</b>											
Collect information required in emergency report	363	0.00	0.00	1.00	1.00	\$0.00	\$0.00	\$0.00	726	\$123.68	\$44,896
Write emergency report	363	0.17	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	425	\$112.24	\$40,743
Call OSC or notify NRC; notify local authorities if advisable	363	0.00	0.10	0.90	0.00	\$0.00	\$0.00	\$10.00	363	\$101.64	\$36,895
<b>Notification of Compliance</b>											
Collect information required in emergency notification report	363	0.00	0.00	0.50	0.50	\$0.00	\$0.00	\$0.00	363	\$61.84	\$22,448
Write emergency notification report	363	0.17	0.00	0.50	0.50	\$0.00	\$0.00	\$0.00	425	\$85.09	\$30,888
Submit report to Regional Administrator	363	0.00	0.00	0.00	0.16	\$2.16	\$0.55	\$0.07	58	\$8.33	\$3,022
Compile information demonstrating compliance	363	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$0.00	182	\$44.50	\$16,152
Subtotal	varies	0.00	varies	varies	varies	\$1,706.40	\$1,608.75	\$3,823.05	33,002	varies	\$2,039,413

<b>Drip Pad Requirements</b>											
<b>Contingency Plan</b>											
Write contingency plan	2	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	4	\$177.98	\$356
Document clean-up of incidental drippage	2	0.00	0.00	0.25	0.25	\$0.00	\$0.00	\$0.00	1	\$30.92	\$62
Retain documentation for 3 years	2	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	0	\$3.47	\$7
<b>Assess adequacy of drip pads</b>											
Prepare and maintain assessment of pad integrity	0	0.00	0.00	2.00	1.00	\$0.00	\$0.00	\$0.00	0	\$212.67	\$0
Prepare plan for upgrading pad	0	0.00	0.10	5.00	1.00	\$0.00	\$0.00	\$0.00	0	\$491.19	\$0
Prepare drawings of pad and obtain independent certification	0	0.00	0.20	6.50	0.30	\$0.00	\$0.55	\$0.07	0	\$612.56	\$0
<b>Design and Operating Requirements</b>											
Prepare an assessment of drip pad and obtain certification	13	0.00	0.25	4.00	0.25	\$0.00	\$0.00	\$0.00	59	\$393.51	\$5,116
Place a record of any condition contributing to or actual release of hazardous waste from drip pad in operating log	2	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	1	\$22.25	\$44
Notify Regional Administrator of release & provide written notice	2	0.17	0.10	0.40	0.00	\$2.16	\$0.55	\$2.00	1	\$75.11	\$150
Notify Regional Administrator of completion of repairs	2	0.00	0.10	0.40	0.00	\$2.16	\$0.22	\$0.00	1	\$49.53	\$99
Provide Regional Administrator independent certification that repairs satisfy applicable standards	2	0.00	0.10	1.00	0.10	\$2.16	\$0.55	\$0.07	2	\$106.78	\$214
Prepare documentation of operating/waste handling practices	13	0.00	0.00	2.00	0.00	\$0.00	\$0.55	\$0.07	26	\$178.60	\$2,322
<b>Certification of liner</b>											
Obtain independent certification of liner	13	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	27	\$181.45	\$2,359
Place certification in operating log	13	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	1	\$3.47	\$45
<b>Documentation of waste removal</b>											
Prepare description of 90-day waste removal practices	13	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	3	\$22.25	\$289
Document each waste removal	13	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	3	\$22.25	\$289
Subtotal	varies	0.00	varies	varies	varies	\$12.96	\$9.79	\$4.99	130	varies	\$11,352

<b>Containment Building Requirements</b>											
<b>Design and Performance Documentation</b>											
Obtain independent certification of building design	22	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	46	\$181.45	\$3,992
Place certification in operating record	22	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	2	\$3.47	\$76
Maintain records of any release from containment building	6	0.00	0.00	0.25	0.10	\$0.00	\$0.00	\$0.00	2	\$25.72	\$154
Notify Regional administrator of any condition contributing to or actual release of hazardous waste and follow-up notice	6	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	12	\$177.98	\$1,068
Notify Regional Administrator of clean-up or repairs	6	0.17	0.10	0.40	0.10	\$0.00	\$0.00	\$0.00	5	\$73.86	\$443
Record monitoring and leak detection data and place in operating record at least every 7 days	22	0.00	0.00	0.00	10.00	\$0.00	\$0.00	\$0.00	220	\$346.90	\$7,632
<b>Documentation of Areas Lacking Secondary Containment</b>											
Place in operating log description of procedures to maintain integrity of areas lacking secondary containment	22	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	46	\$181.45	\$3,992
<b>Documentation of Procedures and Compliance</b>											
Prepare procedures ensuring waste is stored no more than 90 days	22	0.00	0.00	1.00	0.10	\$0.00	\$0.00	\$0.00	24	\$92.46	\$2,034
Prepare description of waste generation and waste management practices	22	0.00	0.00	1.50	0.10	\$0.00	\$0.00	\$0.00	35	\$136.95	\$3,013
Document that 90-day storage procedures are satisfied	22	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	6	\$22.25	\$489
Document that unit is emptied at least once every 90 days	22	0.00	0.00	1.00	0.40	\$0.00	\$0.00	\$0.00	31	\$102.87	\$2,263
Subtotal	varies	0.00	varies	varies	varies	\$0.00	\$0.00	\$0.00	429	1,345	\$25,157
<b>Requests for Extensions of Accumulation Period</b>											
Prepare and submit request to Regional Administrator	214	0.10	0.10	0.00	0.40	\$2.16	\$0.00	\$0.00	128	\$41.26	\$8,830
Subtotal	214	0.10	0.10	0.00	0.40	\$462.24	\$0.00	\$0.00	128	\$501.34	\$8,830
<b>Intra-Organizational Transfers</b>											
Recordkeeping	3,635	0.00	0.00	0.90	0.00	\$0.00	\$0.00	\$0.00	3,272	\$80.09	\$291,131
Subtotal	3,635	0.00	0.00	0.90	0.00	\$0.00	\$0.00	\$0.00	3,272	\$80.09	\$291,131
<b>Special Requirements for Ignitable and Reactive Waste</b>											
Submit waiver application to local emergency management authority as a new LQG (recurring cost after first year, one-time cost per facility)	3,635	0.00	0.20	0.57	0.10	\$0.00	\$0.00	\$0.00	3,162	\$77.29	\$280,954
Subtotal	3,635	0.00	0.00	0.57	0.10	\$0.00	\$0.00	\$0.00	3,162	\$54.19	\$280,954
<b>Subtotal for LQG Pre-Transport Requirements</b>	varies	0.00	varies	varies	varies	\$2,568.24	\$1,716.99	\$4,104.85	86,185	varies	\$6,536,641

EXHIBIT 3  
ANNUAL RESPONDENT BURDEN/COST ESTIMATES  
FOR LARGE QUANTITY GENERATORS

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$136.77/hr	@ \$115.49/hr	@ \$88.99/hr	@ \$34.69/hr	@ \$2.16/doc	@ \$0.11/page				
<b>Large Quantity Generator</b>											
<b>Air Emission Standards Requirements</b>											
<b>Process Vents</b>											
<b>Control Device Operation Documentation</b>											
Reassess and file documentation	160	0.00	0.00	1.50	0.50	\$0.00	\$0.00	\$0.00	320	\$150.83	\$24,133
Modify documentation	160	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	640	\$355.96	\$56,954
Maintain documentation at the facility (265.1035)(e)(2)	320	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	32	\$3.47	\$1,110
<b>Waste Determination</b>											
Gather information (initially and annually thereafter)	320	0.00	8.00	16.00	8.00	\$0.00	\$0.00	\$0.00	10,240	\$2,625.28	\$840,090
Document information (initially and annually thereafter)	320	0.00	0.00	0.00	2.00	\$0.00	\$0.00	\$0.00	640	\$69.38	\$22,202
Maintain documentation at the facility (initially and annually thereafter)	320	0.00	0.00	0.00	0.40	\$0.00	\$0.00	\$0.00	128	\$13.88	\$4,440
<b>Facility operating record: Implementation schedule</b>											
Reassess implementation schedule	160	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	320	\$177.98	\$28,477
File and maintain implementation schedule	160	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	16	\$3.47	\$555
Modify implementation schedule	160	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	640	\$355.96	\$56,954
<b>Facility operating record: Up-to-date documentation of compliance (265.1032)</b>											
Reassess up-to-date documentation of compliance	160	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	320	\$177.98	\$28,477
File and maintain up-to-date documentation of compliance	160	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	16	\$3.47	\$555
Modify up-to-date documentation of compliance	160	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	640	\$355.96	\$56,954
<b>Facility operating record: Performance Test Plan</b>											
Reassess performance test plan	160	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	320	\$177.98	\$28,477
File and maintain performance test plan	160	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	16	\$3.47	\$555
Modify performance test plan	160	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	640	\$355.96	\$56,954
<b>Facility operating record: Documentation of compliance (265.1033)</b>											
Reassess up-to-date documentation	160	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	320	\$177.98	\$28,477
File and maintain up-to-date documentation	160	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	16	\$3.47	\$555
Modify up-to-date documentation	160	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	640	\$355.96	\$56,954
<b>Facility operating record: Design/monitoring/operation/inspection information</b>											
Reassess information	160	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	320	\$177.98	\$28,477
File and maintain information	160	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	16	\$3.47	\$555
Modify information	160	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	640	\$355.96	\$56,954
<b>Facility operating record: Determination of applicability to Subpart AA</b>											
Reassess determination	160	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	320	\$177.98	\$28,477
File and maintain determination	160	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	16	\$3.47	\$555
Modify determination	160	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	640	\$355.96	\$56,954
Subtotal	Varies	0.00	varies	varies	varies	\$0.00	\$0.00	\$0.00	17,856	varies	\$1,464,841

<b>Equipment Leaks</b>											
<b>Notification to implement the alternative valve standard in (265.1061)(a)</b>											
Prepare notification	1,195	0.00	0.25	1.00	0.25	\$0.00	\$0.00	\$0.00	1,793	\$126.54	\$151,209
Submit notification to the Region	1,195	0.00	0.00	0.00	0.16	\$2.16	\$0.00	\$0.00	191	\$7.71	\$9,214
<b>Notification to discontinue alternative valve standard in (265.1061)(a)</b>											
Prepare notification	13	0.00	0.25	1.00	0.25	\$0.00	\$0.00	\$0.00	20	\$126.54	\$1,645
Submit notification to the Region	13	0.00	0.00	0.00	0.16	\$2.16	\$0.00	\$0.00	2	\$7.71	\$100
<b>Notification to implement alternative valve standard (265.1061)(b)(2) and (265.1062)(b)(3)</b>											
Prepare notification	84	0.00	0.25	1.00	0.25	\$0.00	\$0.00	\$0.00	126	\$126.54	\$10,629
Submit notification to the Region	84	0.00	0.00	0.00	0.16	\$2.16	\$0.00	\$0.00	13	\$7.71	\$648
<b>Non-hazardous waste documentation</b>											
Gather production process, waste generation, and specification analysis (4 times annually)	84	0.00	0.00	10.00	0.00	\$0.00	\$0.00	\$0.00	840	\$889.90	\$74,752
Document production process, waste generation and specification analysis (4 times annually)	84	0.00	0.00	16.00	0.00	\$0.00	\$0.00	\$0.00	1,344	\$0.00	\$119,603
Maintain documentation at the facility (4 times annually)	84	0.00	0.00	0.00	2.00	\$0.00	\$0.00	\$0.00	168	\$69.38	\$5,828
<b>Facility Operating Record (265.1064)(b): Equipment record</b>											
Reassess equipment record	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain equipment record	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify equipment record	597	0.00	0.00	4.00	0.00	\$0.00	\$0.00	\$0.00	2,388	\$355.96	\$212,508
<b>Facility Operating Record: Implementation schedule</b>											
Reassess implementation schedule	5,977	0.00	0.00	1.00	0.00	\$0.00	\$0.00	\$0.00	5,977	\$88.99	\$531,893
File and maintain schedule	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify implementation schedule	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254
<b>Facility Operating Record: Performance Test Plan</b>											
Reassess performance test plan	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain plan	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify performance test plan	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254
<b>Facility Operating Record: Documentation of compliance with (265.1060)</b>											
Reassess up-to-date documentation	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain up-to-date documentation	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify up-to-date documentation	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254
<b>Facility Operating Record: Leak inspection log</b>											
Prepare a leak inspection log	5,977	0.00	0.00	2.00	2.00	\$0.00	\$0.00	\$0.00	23,908	\$247.36	\$1,478,471
Reassess leak inspection log	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain inspection log	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify leak inspection log	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254

<b>Facility Operating Record: Design/monitoring/operation/inspection information</b>											
Reassess information	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain information	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify information	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254
<b>Facility Operating Record: Equipment Log</b>											
Reassess equipment log	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain an equipment log	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify equipment log	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254
<b>Facility Operating Record: Valve Log (265.1057)(g) and (h) (Not in compliance)</b>											
Reassess valve log	418	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	836	\$177.98	\$74,396
File and maintain valve log	418	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	42	\$3.47	\$1,450
Modify valve log	4	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	8	\$177.98	\$712
<b>Facility Operating Record: Valve Log (265.1062) (In compliance)</b>											
Reassess valve log	84	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	168	\$177.98	\$14,950
File and maintain valve log	84	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	8	\$3.47	\$291
Modify valve log	8	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	16	\$177.98	\$1,424
<b>Facility Operating Record: Criteria Log</b>											
Reassess criteria log	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain criteria log	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify criteria log	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254
<b>Facility Operating Record: Exemption Log</b>											
Reassess exemption log	5,977	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	11,954	\$177.98	\$1,063,786
File and maintain exemption log	5,977	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	598	\$3.47	\$20,734
Modify exemption log	597	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	1,194	\$177.98	\$106,254
Subtotal	varies	0.00	varies	varies	varies	\$2,790.72	\$0.00	\$0.00	148,411	varies	\$12,236,654
<b>Subtotal for LQG Air Emission Standards Requirements</b>	varies	0.00	varies	varies	varies	\$2,790.72	\$0.00	\$0.00	166,267	varies	\$13,701,495

EXHIBIT 4  
ANNUAL RESPONDENT BURDEN/COST ESTIMATES  
FOR SMALL QUANTITY GENERATORS (High End)

	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other			
		@ \$136.77/hr	@ \$115.49/hr	@ \$88.99/hr	@ \$34.69/hr	@ \$2.16/doc	@ \$0.11/page				
<b>Small Quantity Generator</b>											
<b>Pre-Transport Requirements</b>											
<b>Labeling</b>											
Label containers in 180-day and satellite accumulation	59,800	0.00	0.00	1.83	0.00	\$0.00	\$0.00	\$0.00	109,434	\$162.85	\$9,738,532
Subtotal	59,800	0.00	0.00	1.83	varies	\$0.00	\$0.00	\$0.00	109,434	varies	\$9,738,532
<b>Emergency Procedures</b>											
Observe scene of hazardous waste discharge	1,016	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$0.00	508	\$44.50	\$45,207
Report by phone requested data items to NRC	1,016	0.00	0.00	0.50	0.00	\$0.00	\$0.00	\$5.00	508	\$49.50	\$50,287
Document that local officials decline to enter into arrangements for coordinating response	1,016	0.00	0.00	0.10	0.00	\$0.00	\$0.00	\$0.00	102	\$8.90	\$9,041
Post emergency information by phone	1,016	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	102	\$3.47	\$3,525
Subtotal	1,016	0.00	0.00	1.10	0.10	\$0.00	\$0.00	\$0.00	1,219	varies	\$108,060
<b>Drip Pad Requirements</b>											
<b>Contingency Plan</b>											
Write contingency plan	6	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	12	\$177.98	\$1,068
Document clean-up of incidental drippage	6	0.00	0.00	0.25	0.25	\$0.00	\$0.00	\$0.00	3	\$30.92	\$186
Retain documentation for 3 years	6	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	1	\$3.47	\$21
<b>Assess adequacy of drip pads</b>											
Prepare and maintain assessment of pad integrity	0	0.00	0.00	2.00	1.00	\$0.00	\$0.00	\$0.00	0	\$212.67	\$0
Prepare plan for upgrading pad	0	0.00	0.10	5.00	1.00	\$0.00	\$0.00	\$0.00	0	\$491.19	\$0
Prepare drawings of pad and obtain independent certification	0	0.00	0.20	6.50	0.30	\$0.00	\$0.55	\$0.07	0	\$612.56	\$0
<b>Design and Operating Requirements</b>											
Prepare an assessment of drip pad and obtain certification	36	0.00	0.25	4.00	0.25	\$0.00	\$0.00	\$0.00	162	\$393.51	\$14,166
Place a record of any condition contributing to or actual release of hazardous waste from drip pad in operating log	6	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	2	\$22.25	\$133
Notify Regional Administrator of release & provide written notice	6	0.17	0.10	0.40	0.00	\$2.16	\$0.55	\$2.00	4	\$75.11	\$451
Notify Regional Administrator of completion of repairs	6	0.00	0.10	0.40	0.00	\$2.16	\$0.22	\$0.00	3	\$49.53	\$297
Provide Regional Administrator independent certification that repairs satisfy applicable standards	2	0.00	0.10	1.00	0.10	\$2.16	\$0.55	\$0.07	2	\$106.78	\$214
Prepare documentation of operating/waste handling practices	36	0.00	0.00	2.00	0.00	\$0.00	\$0.55	\$0.07	72	\$178.60	\$6,429
<b>Certification of liner</b>											
Obtain independent certification of liner	36	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	76	\$181.45	\$6,532
Place certification in operating log	36	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	4	\$3.47	\$125
<b>Documentation of waste removal</b>											
Prepare description of 90-day waste removal practices	36	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	9	\$22.25	\$801
Document each waste removal	36	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	9	\$22.25	\$801
Subtotal	varies	0.00	varies	varies	varies	\$30.24	\$25.52	\$14.51	358	varies	\$31,224



<b>Containment Building Requirements</b>											
<b>Design and Performance Documentation</b>											
Obtain independent certification of building design	62	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	130	\$181.45	\$11,250
Place certification in operating record	62	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	6	\$3.47	\$215
Maintain records of any release from containment building	17	0.00	0.00	0.25	0.10	\$0.00	\$0.00	\$0.00	6	\$25.72	\$437
Notify Regional administrator of any condition contributing to or actual release of hazardous waste and follow-up notice	17										
	17	0.00	0.00	2.00	0.00	\$0.00	\$0.00	\$0.00	34	\$177.98	\$3,026
Notify Regional Administrator of clean-up or repairs	17	0.17	0.10	0.40	0.10	\$0.00	\$0.00	\$0.00	13	\$73.86	\$1,256
Record monitoring and leak detection data and place in operating record at least every 7 days	62	0.00	0.00	0.00	10.00	\$0.00	\$0.00	\$0.00	620	\$346.90	\$21,508
<b>Documentation of Areas Lacking Secondary Containment</b>											
Place in operating log description of procedures to maintain integrity of areas lacking secondary containment	62	0.00	0.00	2.00	0.10	\$0.00	\$0.00	\$0.00	130	\$181.45	\$11,250
<b>Documentation of Procedures and Compliance</b>											
Prepare procedures ensuring waste is stored no more than 90 days	62	0.00	0.00	1.00	0.10	\$0.00	\$0.00	\$0.00	68	\$92.46	\$5,732
Prepare description of waste generation and waste management practices	62	0.00	0.00	1.50	0.10	\$0.00	\$0.00	\$0.00	99	\$136.95	\$8,491
Document that 90-day storage procedures are satisfied	62	0.00	0.00	0.25	0.00	\$0.00	\$0.00	\$0.00	16	\$22.25	\$1,379
Document that unit is emptied at least once every 90 days	62	0.00	0.00	1.00	0.40	\$0.00	\$0.00	\$0.00	87	\$102.87	\$6,378
Subtotal	varies	0.00	varies	varies	varies	\$0.00	\$0.00	\$0.00	1,209	1,345	\$70,922
<b>Contingency Planning and Emergency Procedures Requirement</b>											
Maintain records of arrangement or attempt to make arrangement with local emergency management authorities	2,426	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$5.73	243	\$9.20	\$22,317
Subtotal	2,426	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$5.73	243	varies	\$338,192
<b>Episodic Generation</b>											
Notify EPA or Regional Administrator	778	0.00	0.12	1.26	0.12	\$2.16	\$0.00	\$0.00	1,167	\$132.31	\$102,936
Complete and maintain records of episodic hazardous waste generated	778	0.00	2.73	3.51	1.17	\$2.16	\$0.00	\$0.00	5,765	\$670.39	\$521,563
Subtotal	778	0.00	2.85	4.77	1.29	\$1,680.48	\$0.00	\$0.00	6,932	\$802.70	\$624,500
<b>Requests for Extensions of the Accumulation Period</b>											
Prepare and submit request to Regional Administrator	60	0.00	0.10	0.00	0.40	\$2.16	\$0.00	\$0.00	30	\$27.59	\$1,655
Subtotal	60	0.00	0.10	0.00	0.40	\$129.60	\$0.00	\$0.00	30	\$27.59	\$1,655
<b>Subtotal for SQG Pre-Transport Requirements</b>	varies	0.00	varies	varies	varies	\$1,840.32	\$25.52	\$5,080.00	119,425	varies	\$10,913,083

**EXHIBIT 5**

**Respondent Burden and Cost Estimates**

**For Very Small Quantity Generators (High-end)**

Information Collection Activity	Hours and Costs Per Respondent Per Activity						Total Hours and Costs					
	Legal \$98.11/hr	Managerial \$86.15/hr	Technical \$42.21/hr	Clerical \$22.66/hr	Capital/Startup Cost	O&M Cost	Number of Resp.	Total Hours	Labor Costs	Capital/Startup and O&M Costs	Total Cost	Total Cost
<b>Intra-organizational Transfers</b>												
Label all containers in central and satellite accumulation areas	0.00	0.00	0.50	0.00	\$0.00	\$0.00	31,738	15,869	\$669,879	\$0	\$669,879	\$670,000
<b>Episodic Generation</b>												
Notify EPA or Regional Administrator	0.00	0.12	1.26	0.12	\$0.00	\$5.73	1,707	2,561	\$113,082	\$9,781	\$122,863	\$123,000
Obtain an EPA ID Number	0.00	0.08	0.84	0.08	\$0.00	\$3.82	1,707	1,707	\$75,388	\$6,521	\$81,909	\$82,000
Complete and maintain records of episodic hazardous waste generated	0.00	1.86	2.39	0.80	\$0.00	\$0.00	1,707	8,613	\$476,436	\$0	\$476,436	\$476,000
Complete manifests	0.00	0.002	0.16	0.36	\$0.00	\$0.00	1,707	900	\$26,061	\$0	\$26,061	\$26,000
Identify emergency coordinator(s)	0.00	0.00	0.40	0.70	\$0.00	\$0.00	1,707	1,878	\$55,898	\$0	\$55,898	\$56,000
<b>TOTAL</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>	<b>varies</b>		<b>31,528</b>	<b>\$1,416,742</b>	<b>\$16,302</b>	<b>\$1,433,044</b>	<b>\$1,433,000</b>

**EXHIBIT 6**

**ANNUAL RESPONDENT BURDEN/COST ESTIMATES  
RECORDKEEPING AND REPORTING REQUIREMENTS**

Recordkeeping and Reporting Requirements	Number of Respondents	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal @ \$136.77/hr	Managerial @ \$115.49/hr	Technical @ \$88.99/hr	Clerical @ \$34.69/hr	Postage/ Shipping @ \$2.16/doc	Photocopies @ \$0.11/page	Other			
<b>Recordkeeping and Reporting Requirements</b>											
<i>Recordkeeping and Reporting Requirements (262.40, 262.43)</i>											
Store, file, and maintain records of any test results, waste analyses, or other determinations	0	0.00	0.00	0.10	0.00	\$0.00	\$0.00	\$0.00	0	\$8.90	\$0
Gather, provide additional information requested by EPA - LQG	18	0.00	0.25	0.10	0.00	\$2.16	\$1.10	\$0.00	6	\$41.03	\$739
Gather, provide additional information requested by EPA - SQG	66	0.00	0.25	0.10	0.00	\$2.16	\$0.55	\$0.00	23	\$40.48	\$2,672
Subtotal		0.00	varies	varies	0.00						\$3,410
<b>Closure</b>											
Notify EPA or Regional Administrator	477	0.00	0.16	1.68	0.16	\$0.00	\$0.00	\$7.64	954	\$181.17	\$86,419
Subtotal											
<b>TOTAL</b>	<b>varies</b>	<b>0.00</b>	<b>varies</b>	<b>0.10</b>	<b>0.00</b>	<b>\$181.44</b>	<b>\$56.10</b>	<b>\$3,644.28</b>	<b>29</b>	<b>varies</b>	<b>\$89,829</b>

EXHIBIT 7 ANNUAL RESPONDENT BURDEN/COST ESTIMATES EXPORT/IMPORT REQUIREMENTS														
	Number of Respondents	Number of Notifications/Registrants/Shipments per Respondent	Hours per Respondent				O&M Costs/Respondent			Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year		
			Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies	Other					
			@ \$130.33/hr	@ \$113.39/hr	@ \$83.74/hr	@ \$31.14/hr	@ \$1.48/doc	@ \$0.11/page						
<b>Export/Import Requirements</b>														
<i>Notification of Intent to Export Costs</i>														
Collect specific export information	395	3	0.00	0.00	1.50	0.00	\$0.00	\$0.55	\$0.00	593	\$126.16	\$49,833.20		
Prepare and submit notification to EPA	395	3	0.00	0.10	0.65	1.50	\$1.48	\$0.00	\$0.00	889	\$114.04	\$45,047.28		
Maintain copy of export notice	395	3	0.00	0.00	0.00	0.26	\$0.00	\$0.00	\$0.00	103	\$8.10	\$3,198.08		
Subtotal	395		0.00	0.10	2.15	1.76	1.48	0.55	0.00	1,482	\$248.30	\$94,880.48		
<i>Notification of Intent to Import Costs</i>														
Collect specific export information	57	3	0.00	0.00	1.50	0.00	\$0.00	\$0.55	\$0.00	86	\$126.16	\$7,191.12		
Prepare and submit notification to EPA	57	3	0.00	0.10	0.65	1.50	\$1.48	\$0.00	\$0.00	128	\$114.04	\$6,500.49		
Maintain copy of import notice	57	3	0.00	0.00	0.00	0.26	\$0.00	\$0.00	\$0.00	15	\$8.10	\$461.49		
Subtotal	57		0.00	0.10	2.15	1.76	1.48	0.55	0.00	214	\$248.30	\$14,153.11		
<i>CDX Registration Costs (exporters)</i>														
New Registrations	377	211	0.00	0.00	0.15	0.00	\$0.00	\$0.00	\$0.00	57	\$7.07	\$1,491.28		
Update Information	377	192	0.00	0.00	0.02	0.00	\$0.00	\$0.00	\$0.00	8	\$0.94	\$180.93		
Electronic signature if registrant fails identity-proofing requirement	377	42	0.00	0.00	0.08	0.00	\$0.00	\$0.00	\$26.46	31	\$18.81	\$790.15		
Subtotal	377		0.00	0.00	varies	0.00	0.00	0.00	varies	95	varies	\$2,462.36		
<i>CDX Registration Costs (importers)</i>														
New Registrations	56	27	0.00	0.00	0.15	0.00	\$0.00	\$0.00	\$0.00	8	\$6.06	\$163.52		
Update Information	56	54	0.00	0.00	0.02	0.00	\$0.00	\$0.00	\$0.00	1	\$0.81	\$43.60		
Electronic signature if registrant fails identity-proofing requirement	56	6	0.00	0.00	0.08	0.00	\$0.00	\$0.00	\$3.78	5	\$5.19	\$31.11		
Subtotal	56		0.00	0.00	varies	0.00	\$0.00	\$0.00	varies	14	varies	\$238.24		
<i>Renotification Costs (exporter and importers)</i>														
Collect specific changes to export information	452	1	0.00	0.00	0.50	0.00	\$0.00	\$0.55	\$0.00	226	\$42.42	\$19,173.84		
Prepare and submit notification to EPA	452	1	0.00	0.10	0.01	0.50	\$1.48	\$0.00	\$0.43	274	\$29.33	\$13,256.71		
Maintain copy of renotification	452	1	0.00	0.00	0.00	0.07	\$0.00	\$0.00	\$0.00	33	\$2.28	\$1,029.61		
Subtotal	452		0.00	0.10	0.51	0.57	1.48	0.55	0.43	533	\$74.03	\$33,460.17		
<i>Additional Reporting Costs</i>														
Gather and provide additional information	2	1	0.00	0.00	0.50	0.50	\$1.48	\$0.55	\$0.00	2	\$59.47	\$118.94		
Subtotal	2		0.00	0.00	0.50	0.50	2.96	1.10	0.00	2	\$59.47	\$118.94		

<i>Annual Report Requirements Costs</i>												
Research specific export information (LOGs)	344	1	0.00	0.00	1.00	1.00	\$0.00	\$0.55	\$0.00	688	\$115.43	\$39,707.92
Prepare and submit report (LOGs)	344	1	0.00	0.10	1.01	0.30	\$1.48	\$0.00	\$0.00	484	\$106.60	\$36,669.04
Research specific export information (SQGs)	51	1	0.00	0.00	0.50	0.50	\$0.00	\$0.55	\$0.00	51	\$57.99	\$2,957.49
Prepare and submit report (SQGs)	51	1	0.00	0.10	0.51	0.50	\$1.48	\$0.00	\$0.00	57	\$70.95	\$3,618.66
Subtotal	varies		0.00	varies	varies	varies	varies	varies	0.00	1,280	varies	\$82,953.10
<i>Confirmation of Recovery Costs</i>												
Receive and maintain confirmation of recovery provided by	369	130	0.00	0.00	0.00	0.10	\$0.00	\$0.00	\$0.00	37	\$3.11	\$1,149.07
Subtotal	369		0.00	0.00	0.00	0.10	0.00	0.00	0.00	37	3.11	1,149.07
<i>Contract Costs (importers and exporters)</i>												
Write Contract	2	3	26.00	10.40	0.00	0.00	\$0.00	\$0.00	\$0.00	73	\$4,567.84	\$9,135.67
Update Contract	4	3	13.00	10.40	0.00	0.00	\$0.00	\$0.00	\$0.00	94	\$2,873.55	\$11,494.18
Maintain Copy of Contract	452	3	0.00	0.00	0.00	0.26	\$0.00	\$0.00	\$0.00	118	\$8.10	\$3,659.57
Subtotal	varies		0.00	varies	varies	varies	0.00	0.00	0.00	284	varies	\$24,289.43
<i>Recordkeeping Requirement Costs</i>												
File and maintain notification and reports listed above	452	1	0.00	0.00	0.00	0.25	\$0.00	\$0.00	\$0.00	113	\$7.79	\$3,518.82
Maintain Copy of Acknowledgement of Consent (importers and exporters)	452	118	0.00	0.00	0.00	11.81	\$0.00	\$0.00	\$0.00	5,337	\$367.67	\$166,187.95
Subtotal	452		0.00	0.00	0.00	varies	0.00	0.00	0.00	113	varies	\$3,518.82
<i>Exception Report Costs</i>												
Prepare and submit exception report	452	0.04	0.00	0.50	0.50	0.10	\$0.00	\$0.00	\$0.00	497	\$101.71	\$2,034.20
Maintain copy of exception report	452	0.04	0.00	0.00	0.00	0.20	\$0.00	\$0.00	\$0.10	90	\$6.33	\$126.56
Subtotal		varies	0.00	0.00	varies	0.00	0.00	0.00	varies	588	108.04	\$2,160.76
<i>Laboratory Ecxemption Costs (exporters)</i>												
Complete and sign movement/tracking document	369	0.01	0.00	0.00	0.003	0.003	\$0.00	\$0.00	\$0.00	2	\$0.31	\$114.88
Receive and maintain confirmation of recovery provided by	369	0.01	0.00	0.00	0.000	0.001	\$0.00	\$0.00	\$0.00	0	\$0.02	\$6.23
Subtotal	369	2	0.00	0.00	varies	0.00	0.00	0.00	0.00	2	0.33	\$121.11
<i>Laboratory Ecxemption Costs (importers)</i>												
Sign movement/tracking document and provide a copy to	59	0.03	0.00	0.00	0.017	0.017	\$0.00	\$0.00	\$0.00	2	\$1.95	\$114.88
Maintain a copy of the signed movement/tracking document	59	0.03	0.00	0.00	0.000	0.003	\$0.00	\$0.00	\$0.00	0	\$0.11	\$6.23
Send a confirmation of recovery to the exporter, EPA, and	59	0.03	0.00	0.00	0.007	0.008	\$1.48	\$0.00	\$0.00	1	\$2.31	\$136.39
Subtotal	369	2	0.00	0.00	varies	0.00	0.00	0.00	0.00	2	2.05	\$121.11
<i>Movement Document Costs</i>												
Complete movement document	395	126.00	0.00	0.00	62,999	62,999	\$0.00	\$0.00	\$0.00	49,769	\$7,237.29	\$2,858,731.36
Maintain a signed copy of the movement document	395	126.00	0.00	0.00	0.000	12.600	\$0.00	\$0.00	\$12.60	4,977	\$404.96	\$159,957.57
Subtotal	395	2	0.00	0.00	varies	0.00	0.00	0.00	0.00	54,746	7,642.25	\$3,018,688.93
Total	varies	varies	varies	varies	varies	varies	varies	varies	varies	59,392	varies	\$3,278,315.60

<b>EXHIBIT 8 -SUMMARY OF ANNUAL AND THREE-YEAR RESPONDENT BURDEN AND COST*</b>					
<b>GENERATOR ACTIVITY</b>	<b>TOTAL HOURLY BURDEN</b>	<b>TOTAL ANNUAL LABOR COST</b>	<b>CAPITAL COSTS</b>	<b>O&amp;M COSTS</b>	<b>TOTAL COSTS</b>
<b>READ REGULATIONS (LQGs + SQGs)</b>	63,209	\$6,687,711	----	\$0	\$6,687,711
<b>LQGs PRE-TRANSPORT</b>	86,185	\$6,528,251	----	\$8,390	\$6,536,641
<b>LQGs AIR EMISSION STANDARDS</b>	166,267	\$13,698,704	----	\$2,791	\$13,701,495
<b>LQGs RECORDKEEPING AND REPORTING</b>	6	\$680	\$0	\$3,882	\$4,562
<b>SQGs PRE-TRANSPORT</b>	119,425	\$10,906,137	----	\$6,946	\$10,913,083
<b>SQGs RECORDKEEPING AND REPORTING</b>	23	\$2,493	----	\$179	\$2,672
<b>IMPORTER-EXPORTER REQUIREMENTS</b>	59,392	3,278,316	----	\$7,202	\$3,285,518
<b>VSQG FLEXIBILITIES</b>	31,528	\$1,433,044		\$16,302	\$1,449,346
<b>ANNUAL CAPITAL COSTS</b>	----	----	\$26,703		\$26,703
<b>TOTAL ONE YEAR</b>	<b>526,035</b>	<b>\$42,535,337</b>	<b>\$26,703</b>	<b>\$45,691</b>	<b>\$42,607,731</b>

**EXHIBIT 9  
ESTIMATED ANNUAL AGENCY BURDEN AND COSTS**

	Number of Respondents/ Shipments	Hours per Respondent				O&M Costs/Respondent		Total Hours per Year	Cost per Respondent/ Shipment	Total Cost per Year
		Legal	Managerial	Technical	Clerical	Postage/ Shipping	Photocopies			
		@ \$86.54/hr	@ \$62.27/hr	@ \$43.68/hr	@ \$26.56/hr	@ \$2.16/doc	@ \$0.11/page			
<b>Estimated Annual Agency Burden and Costs</b>										
<i>Pre-Transport Requirements (for both Large and Small Quantity Generators)</i>										
Review documents in generator/emergency coordinator reports	427	0.00	0.00	0.50	0.00	\$0.00	\$0.00	214	\$21.84	\$9,326
Review submitted release report information	53	0.00	0.00	0.50	0.00	\$0.00	\$0.00	27	\$21.84	\$1,158
Enter information into database tracking all releases	53	0.00	0.00	0.50	0.50	\$0.00	\$0.00	53	\$35.12	\$1,861
Transmit information to respective response authorities	53	0.00	0.00	0.25	0.25	\$0.00	\$0.00	27	\$17.56	\$931
Review information on equivalent containment devices	22	0.00	0.00	10.00	0.00	\$0.00	\$0.00	220	\$436.80	\$9,610
Evaluate information for 24-hour waste removal exemption	10	0.00	0.00	6.00	0.00	\$0.00	\$0.00	60	\$262.08	\$2,621
Evaluate information for secondary containment variance	53	0.00	0.00	6.00	0.00	\$0.00	\$0.00	318	\$262.08	\$13,890
Review annual leak tests and inspections	0	0.00	0.00	1.00	0.00	\$0.00	\$0.00	0	\$43.68	\$0
Review release notification reports	53	0.00	0.00	4.00	0.00	\$0.00	\$0.00	212	\$174.72	\$9,260
Review major repair certifications	53	0.00	0.00	8.00	0.00	\$0.00	\$0.00	424	\$349.44	\$18,520
Review requests for accumulation period extensions	274	0.00	0.00	3.00	0.00	\$0.00	\$0.00	822	\$131.04	\$35,905
Review and evaluate drawings and certifications of drip pads	0	0.00	0.00	2.00	0.00	\$0.00	\$0.00	0	\$87.36	\$0
Evaluate notices of releases from drip pads	2	0.00	0.00	2.00	0.00	\$0.00	\$0.00	4	\$87.36	\$175
Review repairs conducted to drip pads and independent certifications	2	0.00	0.00	1.00	0.00	\$0.00	\$0.00	8	\$43.68	\$87
Review and evaluate notifications of releases of hazardous waste from containment buildings	6	0.00	0.00	3.00	0.00	\$0.00	\$0.00	18	\$131.04	\$786
Review notices of repairs to containment buildings	6	0.00	0.00	2.00	0.00	\$0.00	\$0.00	12	\$87.36	\$524
Subtotal	varies	0.00	0.00	varies	varies	varies	varies	2,418	-----	\$104,654
<i>Closure</i>										
Review and maintain records of closure notification	477	0.00	0.00	0.25	0.00	\$0.00	\$0.00	119	\$10.92	\$5,209
Subtotal	varies	0.00	0.00	1.00	varies	varies	varies	119	-----	\$5,209
<i>Episodic Generation</i>										
Review submitted notification	2,485	0.00	0.00	1.00	0.00	\$0.00	\$0.00	2,485	\$43.68	\$108,545
Review letter requesting EPA ID number and enter information into a database	1,707	0.00	0.00	1.00	0.00	\$0.00	\$0.00	1,707	\$43.68	\$74,562
Generate EPA ID number and send to facility	1,707	0.00	0.00	1.00	0.00	\$0.00	\$0.00	1,707	\$43.68	\$74,562
Subtotal	varies	0.00	0.00	1.00	varies	varies	varies	5,899	-----	\$257,668
<i>Air Emission Standards Requirements (40 CFR Subparts AA and BB)</i>										
Review notice to implement alternative valve standard in (265.1061)(a)	1,195	0.00	0.00	1.00	0.00	\$0.00	\$0.00	1,195	\$43.68	\$52,198
Review notice to discontinue alternative valve standard in (265.1061)(a)	13	0.00	0.00	1.00	0.00	\$0.00	\$0.00	13	\$43.68	\$568
Review notice to implement alternative valve standard (265.1061)(b)(2) and (265.1062)(b)(3)	84	0.00	0.00	1.00	0.00	\$0.00	\$0.00	84	\$43.68	\$3,669
Subtotal	varies	0.00	0.00	1.00	varies	varies	varies	1,292	-----	\$56,435
<i>Recordkeeping and Reporting Requirements</i>										
Review submitted information	84	0.00	0.00	0.50	0.00	\$0.00	\$0.00	42	\$21.84	\$1,835
Enter information into database	84	0.00	0.00	0.50	0.50	\$0.00	\$0.00	84	\$35.12	\$2,950
Subtotal	varies	0.00	0.00	0.50	varies	varies	varies	126	-----	\$4,785

<i>International Trade Requirements</i>										
Review submitted information	403	0.00	0.00	1.00	0.00	\$0.00	\$0.00	403	\$79.82	\$32,167
Submit, in conjunction with Department of State, notification to receiving country and any transit countries	403	0.00	0.00	0.00	0.16	\$4.50	\$0.55	64	\$9.97	\$4,020
Forward to primary exporter acknowledgement of consent or written notification of objection	403	0.00	0.00	0.00	0.16	\$4.50	\$0.55	64	\$9.97	\$4,020
Review annual reports 262.56(a)	403	0.00	0.00	0.25	0.00	\$0.00	\$0.00	101	\$19.95	\$8,042
Forward to receiving government additional information	3	0.00	0.00	0.00	0.16	\$4.50	\$0.55	0	\$9.97	\$30
Receive and Record Acknowledgement of Receipt from Importing country	403	0.00	0.25	0.00	0.10	\$0.00	\$0.00	141	\$26.33	\$10,612
Receive and record Tracking Document from Importing country	403	0.00	0.25	0.00	0.10	\$0.00	\$0.00	141	\$26.33	\$10,612
Transmit Acknowledgement of Receipt to foreign exporters and competent authority	61	0.00	0.25	0.00	0.10	\$4.50	\$0.00	21	\$30.83	\$1,881
Receive and record Tracking Document from Importing facility	61	0.00	0.25	0.00	0.10	\$0.00	\$0.00	21	\$26.33	\$1,606
Subtotal	varies	0.00	0.00	varies	varies	varies	varies	774	-----	\$72,990
<b>Total</b>	varies	varies	varies	varies	varies	varies	varies	10,628	-----	\$501,740

