

U.S. Environmental Protection Agency
Information Collection Request

Title: RCRA Expanded Public Participation (Renewal)

OMB Control Number: 2050-0149

EPA ICR Number: 1688.11

Abstract: The Resource Conservation and Recovery Act (RCRA) of 1976, as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, requires EPA to establish a national regulatory program to ensure that hazardous wastes are managed in a manner protective of human health and the environment. EPA has a statutory obligation, under Section 7004(b) of RCRA, to provide for, encourage, and assist public participation in the development, revision, implementation, and enforcement of any regulation, guideline, information, or program under the Act. The regulations implementing these requirements are codified at 40 CFR Parts 124 and 270.

Supporting Statement A

1. NEED AND AUTHORITY FOR THE COLLECTION

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

CFR citation (40 CFR Part)	Brief Description of Requirements
124.31	Requires a permit applicant to provide notice of and hold an informal meeting with the public before submitting a Part B application, and to submit a summary of the meeting to the agency.
124.32	Requires the Agency to issue a public notice when it receives an application
124.33	Requires certain facilities (as decided by the Agency Director on a case-by-case basis) to set up and maintain an information repository.
270.62 and 270.66	Requires the Agency to issue a public notice of an upcoming trial burn at a permitted hazardous waste combustion facility or at a hazardous waste combustion facility operating under interim status.

2. PRACTICAL UTILITY/USERS OF THE DATA

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The required activities and information are needed to help assure timely and effective public participation in the permitting process. The requirements are intended to provide equal access to information to all stakeholders in the permitting process: the permitting agency, the permit applicant, and the community where a facility is located. Some facilities may be required to develop information

repositories to allow for expanded public participation and access to detailed facility information as part of the permitting process. This ICR does not include the burden for the actual permits, as that is already covered under another ICR (OMB Control No. 2050-0024).

3. USE OF TECHNOLOGY

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The information collected, as described above, can be kept in an electronic format.

4. EFFORTS TO IDENTIFY DUPLICATION

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

None of the information required by this ICR will duplicate information required by existing RCRA regulations.

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

In developing the regulations for expanding public involvement in the RCRA permitting process, EPA was sensitive to the needs and concerns of small businesses. Therefore, the regulations describe the minimum efforts necessary to fulfill the public involvement requirements. EPA avoided including narrow, prescriptive requirements in the final RCRA Expanded Public Participation Rule, in order to provide as much flexibility as possible—for the facility, the community, and the Agency—in implementing the requirements. Furthermore, EPA conducted a small entity impact screening analysis for the proposed rule and determined that there were no small entities significantly impacted (see 59 FR 28680; June 2, 1994). Because there were no substantive changes to the public participation requirements since the proposal, EPA determined that the requirements do not significantly impact small entities.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION

Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

EPA sought to reduce the reporting frequency to the minimum that is necessary to ensure compliance with the rule. It would not be possible to collect this information less frequently and still assure that the requirements of permit and public involvement regulations are met by owners or operators. The reporting frequency is essential to assure that any changes in the trial burn plans or in the anticipated permit application contents are made known to EPA and to the public.

7. GENERAL GUIDELINES

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The information collection is consistent with the guidelines set forth in 5 CFR 1320(d)(2) of the Paperwork Reduction Act.

8. PUBLIC COMMENT AND CONSULTATIONS

8a. Public Comment

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice in the *Federal Register* on December 11, 2025 (90 FR 57466). The notice indicated that EPA was planning to submit an ICR, "RCRA Expanded Public Participation (Renewal)," EPA ICR number 1688.11, OMB Control No. 2050-0149 to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. The notice also requested comments on the information collection and burden estimates covered in the ICR. The public comment period extended through February 9, 2026. EPA received no comments on this ICR in response to the *Federal Register* notice.

8b. Consultations

Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

EPA consulted with Safety Clean, US Ecology, and Envirite via email in December 2025. No changes were made to the burden estimates as a result of these consultations; however there was discussion of the arcane methods required to advertise for a public meeting, such as notice being via an ad in the local newspaper. Whether or not the public meeting is in person or virtual, the method for advertising has not changed. EPA is currently drafting revised regulations that will revise these requirements to include the internet and other modern methods for advertising.

9. PAYMENTS OR GIFTS TO RESPONDENTS

Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no payments or gifts associated with this collection of information.

10. ASSURANCE OF CONFIDENTIALITY

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

EPA does not intend to collect any information related to trade secrets of the stakeholders. Section 3007(b) of RCRA and 40 CFR Part 2, Subpart B define EPA's general policy on the public disclosure of information and contain provisions for confidentiality of business information. EPA protects from public disclosure all Confidential Business Information (CBI) obtained under RCRA and has provided businesses with procedures to claim confidentiality for such CBI. EPA makes extra efforts to protect the confidentiality of this CBI.

11. JUSTIFICATION FOR SENSITIVE QUESTIONS

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The information collection activities covered by this ICR will not include questions about sensitive issues.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
 - If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate the hour burdens.*
 - Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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12a. Respondents/NAICS Codes

The following is a list of North American Industrial Classification System (NAICS) codes associated with the facilities most likely to be affected by the expanded public participation requirements analyzed under this ICR:

22132	Sewage Treatment Facilities
32411	Petroleum Refineries
32511	Petrochemical Manufacturing
32512	Industrial Gas Manufacturing
32551	Paint and Coating Manufacturing
33271	Machine Shops

33422	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing
33633	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
33634	Motor Vehicle Brake System Manufacturing
33635	Motor Vehicle Transmission and Power Train Parts Manufacturing
42271	Petroleum Bulk Stations and Terminals
44111	New Car Dealers
44711	Gasoline Stations with Convenience Store
44719	Other Gasoline Stations
48411	General Freight Trucking, Local
48421	Used Household and Office Goods Moving
48422	Specialized Freight (except Used Goods) Trucking, Local
56292	Materials Recovery Facilities
221111	Hydroelectric Power Generation
221112	Fossil Fuel Electric Power Generation
221113	Nuclear Electric Power Generation
221119	Other Electric Power Generation
221121	Electric Bulk Power Transmission and Control
221122	Electric Power Distribution
311942	Spice and Extract Manufacturing
323110	Commercial Lithographic Printing
323114	Quick Printing
325131	Inorganic Dye and Pigment Manufacturing
325188	All Other Basic Inorganic Chemical Manufacturing
325193	Ethyl Alcohol Manufacturing
325199	All Other Basic Organic Chemical Manufacturing
325211	Plastics Material and Resin Manufacturing
325998	All Other Miscellaneous Chemical Product Manufacturing
331311	Alumina Refining
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
332999	Other Miscellaneous Fabricated Metal Product Manufacturing
333319	Other Commercial and Service Industry Machinery Manufacturing
333999	All Other General Purpose Machinery Manufacturing
334418	Printed Circuit/Electronics Assembly Manufacturing
334419	Other Electronic Component Manufacturing
336211	Motor Vehicle Body Manufacturing
336312	Gasoline Engine and Engine Parts Manufacturing
336322	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing
336399	All Other Motor Vehicle Part Manufacturing
454311	Heating Oil Dealers
454312	Liquefied Petroleum Gas (Bottled Gas) Dealers
562111	Solid Waste Collection
562112	Hazardous Waste Collection
562119	Other Waste Collection

562211	Hazardous Waste Treatment and Disposal
562212	Solid Waste Landfills
562213	Solid Waste Combustors and Incinerators
562219	Other Nonhazardous Waste Treatment and Disposal
811111	General Automotive Repair

12b. Information Requested

Pre-application Public Meeting and Notice

Under 40 *CFR* 124.31(a) and (b), facilities applying for an initial Part B permit or a Part B permit renewal, where the renewal application is proposing a change that would qualify as a Class 3 permit modification under 40 *CFR* 270.42, are required to hold at least one meeting with the public prior to submitting the Part B permit application to the permitting agency. The applicant must submit a summary of the meeting, along with the list of attendees and their addresses, and copies of any written comments or materials submitted at the meeting, to the permitting agency as part of the Part B application (§124.31(c)). Under 40 *CFR* 124.31(d), applicants must provide public notice (i.e., newspaper advertisement, visible and accessible sign, and broadcast media announcement) of the pre-application meeting at least 30 days prior to the meeting. The applicant also must provide a copy of the notice to the permitting agency and to the appropriate units of State and local government. (Note: In regard to 40 *CFR* 124.31(c), this ICR addresses the respondent activities associated with collecting the required information. Submittal of this information to the permitting agency is addressed in *Supporting Statement for EPA Information Collection Request Number 1573, "Part B Permit Application, Permit Modifications, And Special Permits."*)

A public notice that includes:

1. The date, time, and location of the meeting;
2. A brief description of the purpose of the meeting;
3. A brief description of the facility and proposed operations, including the address or map (e.g., a sketched or copied street map) of the facility location;
4. A statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access to participate in the meeting; and
5. The name, address, and telephone number of a contact person for the applicant.

Information Repository

Under 40 *CFR* 124.33, the Agency Director has the authority to require certain applicants/facilities to establish and maintain an information repository. Applicants/facilities instructed by the Agency Director to establish an information repository must, at a minimum, provide a written notice about the information repository to all individuals on the facility mailing list. The Agency Director will determine the information to be placed in the information repository. Written notice about the information repository; and Information in the repository, e.g.:

- A summary of the pre-application public meeting;
- A copy of the Part B permit application; and

- Any other information the Agency Director determines to be relevant to public understanding of permitting activities at the facility.

12c. Respondent Activities

To comply with the requirements in Section 124.31, applicants must perform the following activities:

1. Read the regulations;
2. Prepare notice of pre-application meeting;
3. Prepare a multilingual notice of pre-application meeting, if appropriate;
4. Provide for publication/posting/broadcasting of notice;
5. Provide copy of pre-application meeting notice to the permitting agency and appropriate units of State and local government;
6. Retain documentation of the notice;
7. Prepare for and conduct the meeting;
8. Prepare a meeting summary; and
9. Copy the list of attendees with their addresses.

To comply with the requirements in section 124.33, applicants must conduct the following activities:

1. Read the regulations;
2. Arrange with a local building for space to establish the information repository;
3. Provide notice of the repository to individuals on the facility mailing list;
4. Provide a multilingual notice of the repository to individuals on the facility mailing list, if appropriate;
5. Establish the information repository; and
6. Maintain the information repository.

12d. Respondent Burden Hours and Labor Costs

The pre-application meeting requirements apply to all facilities applying for an initial RCRA permit, and to already permitted facilities proposing a significant change in facility operations (i.e., changes equivalent to a Class 3 modification) at renewal. These requirements do not apply to other renewal applications (i.e., those that do not include significant changes), post-closure applications, or routine permit modification requests.

To estimate the number of initial RCRA permits, EPA referred to RCRAInfo. Based on RCRAInfo data, EPA estimates that 2 initial Part B permit applications, on average, will be received annually over a three-year period.

To estimate the number of permit renewals involving a significant change in facility operations, EPA again relied on RCRAInfo. RCRAInfo indicates that 49 RCRA permits, on average, will be renewed annually over a three-year period. EPA assumes that only ten percent (i.e., $49 \times 0.10 = 5$ permits) will involve significant changes to facility operations and thus be subject to the pre-application meeting requirements.

Based on the above assumptions, EPA estimates that 7 facilities (i.e., 2 + 5 = 7), on average, will be subject to the pre-application requirements each year.

The respondent hourly and cost burden associated with this ICR is estimated in the attached excel spreadsheets (Exhibit 1) and summarized in the table below:

INFORMATION COLLECTION ACTIVITY	Total Hours	Total Labor Costs	Total Capital Cost	Total O&M Costs	Total Costs
Pre-Application Public Meeting and Notice	4,592	\$348,075	\$0	\$3,173	\$351,248
Information Repository	261	\$18,841	\$995	\$1,110	\$20,946
TOTAL	4,853	\$366,916	\$995	\$4,283	\$372,194

13. RESPONDENT CAPITAL AND O&M COSTS

Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

As shown in the table above, the estimated capital and O&M cost associated with this ICR is \$5,278 (\$995 + \$4,283) annually.

14. AGENCY COSTS

Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such

as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

14a. Agency Activities

Notice at Application Submittal

40 CFR 124.32 requires the Agency to provide public notice, as set forth in sections 124.10(c)(1)(ix) and (x), at the application submittal stage.

Information Repository

40 CFR 124.33 provides discretionary authority for the Agency to require, on a case-by-case basis, the owner or operator of a facility to set up an information repository, and to provide a notice to the facility mailing list about the repository. Section 124.33(d) requires the Agency Director to specify the contents of the repository and establish requirements for informing the public about the establishment of the repository (at a minimum, the Agency Director will require the facility to provide written notice to the facility mailing list).

Trial Burn Notice

40 CFR 270.62(b)(6), 270.62(d), 270.66(d)(3), and 270.66(g) require the Agency to provide public notice, as set forth in sections 124.10(c)(1)(ix) and (x), of an impending trial burn at a permitted hazardous waste combustion facility, or at a hazardous waste combustion facility operating under interim status.

14b. Agency Labor Cost

For purposes of this ICR, EPA assigned staff the following government service levels:

Legal Staff	GS-15, Step 5
Managerial Staff	GS-15, Step 1
Technical Staff	GS-13, Step 1
Clerical Staff	GS-6, Step 1

The Agency hourly and cost burden associated with this ICR is estimated in the attached excel spreadsheets (Exhibit 2) and summarized in the table below:

INFORMATION COLLECTION ACTIVITY	Total Hours	Total Labor Costs	Total Capital Cost	Total O&M Costs	Total Costs
Notice at Application Submittal	383	\$13,311	\$0	\$8,926	\$22,237
Information Repository	18	\$833	\$0	\$0	\$833
Trial Burn Notice	8	\$261	\$0	\$146	\$407
TOTAL	409	\$14,405	\$0	\$9,072	\$23,477

14c. Agency Non-Labor Costs

The Agency non-labor cost is \$9,072 annually.

15) REASONS FOR CHANGE IN BURDEN

Explain the reasons for any program changes or adjustments reported in the burden or capital/O&M cost estimates.

There is an increase of 379 hours in the burden estimates for this ICR due to an increase in the number of respondents.

16) PUBLICATION OF DATA

For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Results from this ICR are not published formally.

17) DISPLAY OF EXPIRATION DATE

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

There are no instruments for this ICR.

18) CERTIFICATION STATEMENT

Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

This information collection complies with all provisions of the Certification for Paperwork Reduction Act Submissions.