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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6363-8]

RIN 2050-AE50

Office of Solid Waste Burden Reduction Project

AGENCY: Environmental Protection Agency

ACTION: Notice of data availability and request for comment.

SUMMARY: To meet the goals of the Paperwork Reduction Act of 1995, the Office of Solid Waste (OSW) plans to reduce the recordkeeping and reporting burden on states, the public and regulated community associated with the Resource Conservation and Recovery Act (RCRA). The Paperwork Reduction Act establishes a federal government-wide goal to reduce the recordkeeping and reporting burden on the states, the public and regulated community by 40% from a starting date of 1995 to September 2001. We are working to reduce burden while protecting human health and the environment.

For this Notice of Data Availability (NODA), we reviewed our recordkeeping and reporting requirements and their burden on the states, public, and regulated community; reviewed burden reduction ideas developed by other EPA offices and the regulated community; developed additional burden reduction ideas; and sought input from EPA offices and states. In today's NODA, we are soliciting comment on our ideas and our background documents. These background documents are available on the Internet and in the RCRA Information Center. We plan to issue a proposed rulemaking to implement many of these ideas.

DATES: Written comments must be received by September 20, 1999.

ADDRESSES: Commenters must send an original and two copies of their comments referencing docket number F-1999-IBRA-FFFFF to: RCRA Docket Information Center, Office of Solid Waste (5305G), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Hand deliveries should be made to the RCRA Information Center at the Arlington, VA address below. Comments also may be submitted electronically via the Internet to: rcra-docket@epamail.epa.gov.

Comments in an electronic format also should reference docket number F-1999-IBRA-FFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

Commenters should not submit any confidential business information (CBI) electronically. Commenters must submit an original and two copies of CBI under separate cover to: RCRA CBI Document Control Officer, Office of Solid Waste (5305W), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

Public comments and technical background information are available for viewing in the RCRA Information Center (RIC), located on the first floor of Crystal Gateway I, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. To review docket materials, it is recommended that an appointment be made by calling (703) 603-9230. The public may copy a maximum of 100 pages from the docket at no charge. Additional copies are $0.15 per page. The docket index and some technical background information materials are also available electronically.

FOR FURTHER INFORMATION ON THIS NOTICE CALL: The RCRA Hotline. Callers within the Washington Metropolitan Area must dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). Long-distance callers may call 1-800-424-9346 or TDD 1-800-553-7672. The RCRA Hotline operates weekdays, 9:00 a.m. to 6:00 p.m. eastern time. Send written requests to: RCRA Information Center (5305W), U.S. EPA, 401 M Street, SW, Washington, DC 20460.

SUPPLEMENTARY INFORMATION:

Electronic Access

Background information materials for this Notice are available on the Internet. Follow the instructions below to access these materials electronically:

WWW: http://www.epa.gov/epaoswer/hazwaste/data/burdenreduction

FTP: ftp.epa.gov

Login: anonymous

Password: your Internet address

Files are located in /pub/epaoswer

The official record for this action will be kept in paper form. Accordingly, we will transfer all comments received electronically to paper form and place them in the official record. The official record also will include all comments submitted in writing.

Acronyms

ICR: Information Collection Request
LDR: Land Disposal Restrictions
LQG: Large Quantity Generator
NODA: Notice of Data Availability
OSHA: Occupational Safety and Health Administration
OSW: Office of Solid Waste
PRA: Paperwork Reduction Act
RCRA: Resource Conservation and Recovery Act
TRI: Toxics Release Inventory
TSDF: Treatment, Storage and Disposal Facility

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Glossary of Terms:

Boilers/industrial furnaces: An enclosed device using controlled flame combustion to accomplish recovery of materials or energy.

Characteristic waste: A solid waste that is a hazardous waste because it exhibits one or more of the following hazardous characteristics: ignitability, corrosivity, reactivity, or toxicity.

EPA identification number: A number assigned by EPA to each generator; transporter; and treatment, storage, or disposal facility. Identification numbers are facility-specific, except for the transporter who has one for all his/her operations.

Facility: All land and structures used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal units.

Generator: Any person whose process produces a hazardous waste in excess of 100 kg/month or acutely hazardous waste in excess of 1 kg/month, or whose actions cause a hazardous waste to become subject to regulation.

Groundwater: Water below the land surface.

Hazardous waste: Includes solid wastes that have not been excluded from the definition of hazardous waste; have been listed as hazardous wastes by EPA; exhibit one or more characteristics of hazardous waste; or have been mixed with a hazardous waste.

Inspections: Owner/operators of facilities must inspect their facilities for malfunctions and deterioration, operator errors, and discharges which may cause of lead to releases of hazardous constituents to the environment or a threat to human health.

Land disposal: Includes placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, salt bed formation, underground mine or cave, or concrete vault or bunker intended for disposal purposed.

Land Disposal Restrictions: Also known as the land ban, these restrictions prohibit any land disposal of untreated hazardous wastes. Land Disposal Restrictions establish treatment standards that must be met prior to any land application of hazardous wastes.

Listed waste: A waste is a listed as hazardous based on the process from which the waste was generated and/or the constituents found in the waste.

Manifest: The paperwork that must accompany a shipment of hazardous waste as it moves from the generator to the transporter and eventually to the treatment, storage, or disposal facility.

Notification form: A form that notifies regulators of hazardous waste management activities at a facility.

Operator: The person responsible for the overall operation of a facility.

Owner: The person who owns a facility.

RCRA: The Resource Conservation and Recovery Act (RCRA) was enacted to protect human health and the environment, and to conserve valuable material and energy resources. The most important aspect of RCRA is the establishment of standards for the management and tracking of waste from generator to transporter to treatment, storage, and disposal.

Permit: Lays out the legally enforceable requirements that owners and operators of hazardous waste treatment, storage, and disposal facilities must comply with.

Recordkeeping and reporting requirements: A generator, transporter, or treatment, storage and disposal facility must keep all data relating to hazardous waste management units. They must also file reports to EPA, which become part of their operating record.

Solid waste: Any garbage, refuse, sludge, or other waste materials not excluded by definition. Hazardous waste is a subset of solid waste.

Treatment, Storage and Disposal Facility: A facility that treats, stores, and/or disposes of hazardous waste.

Treatment: Any method, technique, or process designed to change the physical, chemical, or biological character or composition of a hazardous waste to neutralize it or recover energy or material resources from the waste, or to render the waste nonhazardous or less hazardous.

Treatment standards: Standards that hazardous wastes must meet prior to land disposal.

I. Background and Purpose of Today's NODA

A. What Is RCRA?

The Resource Conservation and Recovery Act (RCRA) establishes a program for controlling hazardous waste from the time it is generated, through its treatment and storage, until its ultimate disposal. RCRA also establishes a program for controlling nonhazardous industrial solid waste and municipal solid waste by encouraging states to develop comprehensive plans to manage these wastes, setting criteria for municipal solid waste landfills and other solid waste disposal facilities, and prohibiting the open dumping of solid waste. RCRA is implemented by EPA and the states.

EPA's regulations implementing RCRA are listed in Title 40 of the Code of Federal Regulations (CFR). Within Title 40, the hazardous waste regulations are listed in Parts 260 through 279. The solid waste regulations are listed in Title 40, Parts 240 through 258. In this NODA, we often give the location of where you can find specific regulations as 40 CFR, with the specific part or parts listed afterward (e.g., 40 CFR Part 264).

B. What Is Recordkeeping and Reporting Burden?

Recordkeeping and reporting burden includes information that EPA requires or requests of you (the public, states, and regulated community), and then is reported to us and/or kept as records by you.

C. Why Do We Ask You To Recordkeep and Report?

We need information to ensure that human health and the environment are protected as required by RCRA. We can require that you provide us with information and/or that you keep records of information under the authority of RCRA. In addition, we sometimes ask you to submit information through voluntary surveys, focus groups, and studies.

D. What Are Our Goals for Reducing Recordkeeping and Reporting Burden?

To meet the federal government-wide goal established by the Paperwork Reduction Act (PRA), we are taking steps to reduce recordkeeping and reporting burden by 40 percent. Recordkeeping and reporting burden includes not only the time spent submitting information to us (writing a letter and putting it in the mail) or keeping records (creating and maintaining a filing system), but also the time it takes to develop the information (collecting data; organizing, analyzing, and summarizing data; writing reports; or filling out forms). Burden covers information that we require by regulation and the information that we request you give us voluntarily.

The PRA establishes a government-wide goal of reducing the paperwork burden to the public by 40 percent from the total amount of paperwork required or requested from the public annually as of September 30, 1995. The PRA allows us to reduce paperwork burden in stages: 25 percent by September 30, 1998, an additional 5 percent by September 30, 1999, another 5 percent

by September 30, 2000, and a final 5 percent by September 30, 2001.

E. How Is Burden Estimated?

We estimate the amount of time it takes you to respond to our information requests as follows: First, we list all of the activities you as state employees, members of the regulated community, or private citizens undertake to collect, organize, or otherwise develop the information; report the information; or keep it in your records. For each activity, we then estimate the time it takes an average respondent to complete the information request, taking into account differences such as facility size or level of data complexity. Next, we verify these estimates through consultations with a small number of respondents. Finally, these hour estimates are multiplied by the number of people or entities expected to complete the information collection. The results of these analyses are published in Information Collection Requests (ICRs).

F. What Is an ICR?

An Information Collection Request (ICR) is a document summarizing our estimates of paperwork burden for an information collection. We have to obtain approval from the Office of Management and Budget (OMB) of the ICR before we can collect any information. Under the Paperwork Reduction Act, you (state employees, members of the regulated community, or private citizens) have an opportunity to comment on the estimates in our ICRs prior to our submitting them to OMB for approval. After a 60-day public comment period, we review and incorporate, where appropriate, your comments into our estimates.

OMB generally approves ICRs for a three-year period. In order to continue an information collection after this period, we must renew the ICR with OMB. ICR renewals follow the procedures outlined above, including consultations and public comment.

G. What Is the Baseline for OSW Paperwork Requirements and What Progress Has Been Made to Date in Reducing It ?

On September 30, 1995, the paperwork burden baseline for the regulations OSW implements was 12,600,000 hours. To meet the government-wide goal, we would have to reduce this burden baseline by 5,040,000 hours to an annual total of 7,560,000 hours by September 30, 2001. As of October 1, 1998, we achieved burden reductions totaling nearly 2,000,000 hours or 16 percent. A chart of all OSW burden hours is available in the RCRA docket or on the Internet.

H. What Is the OSW Burden Reduction Initiative and What Have We Done to Date?

The OSW Burden Reduction Initiative grew out of workshops and round tables for reinventing the RCRA regulations, such as the Land Disposal Roundtable we sponsored in July 1998. Over the last two years, we reviewed all of the OSW reporting and recordkeeping requirements and developed ideas for eliminating or streamlining them. After obtaining input from within EPA and a limited number of state experts, we developed today's NODA to seek broader input on the ideas. The goal of the Burden Reduction Initiative is to reduce paperwork while maintaining a protective OSW program.

I. What Is in Today's NODA?

In today's NODA, we present our major burden reduction ideas. We also reference other smaller ideas, which are available in the RCRA Docket and on the Internet. And, we mention other ongoing burden reduction efforts so you can gain an understanding of our overall burden reduction strategy.

If all of the burden reductions ideas presented in today's NODA and the background documents were implemented, we would achieve burden reductions that would allow us to meet our 40 percent goal. We estimate these ideas add up to 3.3 million hours, which is about a 40% overall reduction in burden. Note that this figure does not include savings from accounting changes, which are discussed at the end of the NODA. Also, in calculating this figure, we made sure that we were not double-counting any burden reduction savings from the multiple ideas.

Some of the ideas presented today are controversial, and we may not necessarily go forward with each idea in a rulemaking. However, we do expect to go forward with many of them. As discussed throughout today's NODA, your input will help us decide which areas are the best candidates to pursue in a later rulemaking. Please note that today's Notice does not change any existing recordkeeping and reporting requirements—they remain effective and are enforceable.

J. What We Would Like You To Do

After reviewing today's NODA and the background information, we would like you to comment on: the positive and negative impacts of the burden reduction ideas; whether they would reduce burden as we have estimated; and other ideas for reducing RCRA burden, both in areas covered by this NODA and any others.

K. Information on Burden Reduction Ideas Not in the NODA

You can find on the Internet at: http://www.epa.gov/epaoswer/hazwaste/data/burdenreduction a document entitled "Burden Reduction Ideas" which lists some additional burden reduction ideas not in the NODA. This document is a chart that lists each idea, its ICR number(s) and regulatory citation(s), its baseline burden hour estimate, and an estimate of the burden savings that might be achieved if it were implemented.

L. What Happens After We Receive Your Comments?

After reviewing comments received, we will issue a proposed rulemaking to implement a number of these burden reduction ideas. We will consider your comments and suggestions, and will probably do supplemental analyses on some of the ideas. The proposed rulemaking that follows this NODA will present more complete rationales for changes we are considering to existing requirements.

II. Our Major Burden Reduction Ideas

For the ideas presented below, we summarize our existing policies on the issue, discuss possible changes, and highlight areas you might want to comment on. Comments are of course welcome on any and all aspects of the discussion below.

A. Should We Allow Facilities To Submit All Information and Keep All Records of Information Electronically?

Existing Policies for Electronic Reporting and Recordkeeping

EPA has been working to introduce electronic reporting and recordkeeping into our programs. In the short term, our goal is to eliminate the cost to industry and government of using paper to transfer data and eliminate the errors and delays involved in keystroking reports into databases. Our longer term goal is to use electronic reporting as a tool for streamlining and automating the exchanges of data among industry, environmental agencies, and the public. To accomplish these goals, we are developing guidelines and have convened workgroups to ensure that we develop consistent and effective electronic reporting and recordkeeping programs across all program offices.

In the RCRA program, we are exploring ways to increase electronic reporting and recordkeeping. While we have no RCRA-wide policy on this subject, we have made strides in some

areas. For example, on November 2, 1996, we wrote an interpretive letter to the company Safety-Kleen saying that they can store electronic image files of manifests instead of keeping paper copies. We also recently initiated a pilot project to test the feasibility of using Electronic Data Interchange and the Internet to automate manifesting activities. In this pilot, users will prepare, transmit and keep copies of a digitally signed electronic manifest. The pilot is scheduled to be completed by September 1999 and will be evaluated by EPA as part of a manifest revisions proposed rule. We are also heavily promoting electronic reporting for the Biennial Report.

Possible Changes to Our Policies for Electronic Reporting and Recordkeeping

We are evaluating whether to develop an across-the-board policy whereby you could electronically report and keep records of RCRA-required documents so long as you meet some conditions, such as ensuring data integrity in storage and that the documents are readily available during inspections. This would mean that you would not have to keep paper copies of any RCRA records, unless you prefer to do so. In some cases, this policy would mean that we would have to upgrade our data management systems. We will not be able to do this immediately, but over time we could move to a primarily electronic system for RCRA, while maintaining paper capability for those parties who cannot or will not go to electronic reporting.

Questions/Comments

We want comment on whether electronic reporting and recordkeeping should be allowed across-the-board, or whether it should be limited to specific areas. In addition, please comment on the enforceability of electronic signatures (we especially want comment from state agencies who would be implementing the requirements), the accessibility of electronic records during inspections, and how easy it would be for companies to submit electronically. Also comment on whether you would see any burden or cost savings from electronic reporting and recordkeeping.

In addition, please comment on whether the costs of automation such as obtaining a computer, software, and on-line provider outweigh these cost savings. Even though the electronic submissions would be voluntary, we need to understand how many parties are likely to pursue electronic submissions to help us decide what resources we should be committing to this area.

B. Should EPA Reduce Reporting Requirements for Generators and Treatment, Storage and Disposal Facilities (TSDFs)?

Existing Reporting Requirements

We receive more than 300 notifications, reports, certifications, demonstrations, and plans from generators and TSDFs in order to show compliance with the RCRA regulations, as well as applications for extensions, permits, variances, and exemptions. Generators and TSDFs must notify us of their regulated waste activities and TSDFs must submit information such as ground-water quality reports, closure and post-closure certifications, and Part A permit applications. These reporting requirements are in 40 CFR Parts 262, 264, 265, 266, 268, 270.

Possible Changes to Reporting Requirements/Agency Analyses and Data

We are evaluating whether we should continue to require facilities to submit all this information. We would still require facilities to develop and maintain the required information. Rather than submitting the required information to EPA, however, it would be kept on-site.

We believe that not requiring facilities to submit this information will save them time and money. Receiving less information would also reduce our data management and administrative burden. We have developed a list of all of the reporting requirements that apply to generators and TSDFs, and the burden for each of these activities. This list is available in the RCRA Information Center and on the Internet at: http://www.epa.gov/epaoswer/hazwaste/data/burdenreduction.

Please be aware that we believe some notices to be high priority (to ensure compliance with regulations), and do not plan on eliminating the requirement that they be sent to EPA. Below are some of the notices we will keep:

- 40 CFR Parts 264.143, 145 and 265.143, 145 requirements that facilities submit financial assurance information or updates of financial assurance information. Allowing facilities to maintain this information on site only rather than sending it to EPA will increase the likelihood that facilities will not obtain adequate financial assurance for closure or corrective action.
- 40 CFR Parts 262.12; 263.11; 264.11; 265.11; and 266.70 requirements that facilities notify us of their legal owner. This information is needed to identify responsible parties in enforcement cases.
- 40 CFR Part 264.12 requirement that TSDFs notify generators that they have appropriate permits. Eliminating this requirement would shift the burden of proof to the Agency when we attempt to bring an action against a generator that ships waste to an unpermitted TSDF.
- 40 CFR Parts 264.12; 265.12 transfer of ownership requirements. These requirements help ensure that the buyer is fully aware of its RCRA obligations and increases the likelihood that the new owner will be in compliance with RCRA.
- 40 CFR Part 268.7(a) generator notification requirements. This tracking requirement is essential for federal regulators to ensure that the correct information is placed on file at the waste generating facility and is provided to the receiving facility, and allows us to monitor what happens to hazardous waste from generation to treatment.
- 40 CFR Part 268.7(b)(3)–(b)(4) treatment facility notifications. This tracking requirement is essential for federal regulators to ensure that the correct information is placed on file at the facility and is provided to the waste disposal facility, and to allow us to monitor what happens to hazardous waste.
- 40 CFR Part 268.9 characteristic waste notifications. Maintaining this notice and supporting information is important because once the waste has been decharacterized it can be land disposed in a nonhazardous landfill. An inspector will not know where this waste was sent for treatment or disposal without this notice because the receiving facility is out of RCRA jurisdiction. Therefore, this information is critical to maintain the RCRA cradle-to-grave tracking process.
- 40 CFR part 264.1036—RCRA air regulations subpart AA reporting requirements are used to determine compliance.
- 40 CFR part 264.1065—RCRA air regulations subpart BB reporting requirements are used to determine compliance.
- 40 CFR part 264.1090—RCRA air regulations subpart CC reporting requirements are used to determine compliance.
- 40 CFR Parts 262.12, 263.11, 264.11 notification of regulated waste activity. This is a basic requirement to inform us of who is generating and managing hazardous waste.

Questions/Comments

By identifying these high priority notices, we are asking whether the remaining paperwork imposed by existing regulations has to be sent to us.

The notices highlighted above are, in our opinion, necessary to properly ensure compliance. The other nearly 300 notices, however, may not be absolutely necessary, and simple recordkeeping onsite may suffice. We recognize that opinions will vary on how we should decide which notices to keep and thus welcome comments on a methodology for deciding what to drop and what to keep.

We are also interested in learning what impact there may be on the environment, human health, and worker health and safety if this information were not required to be submitted to EPA. In addition, we would like to know if this proposal would relieve the public and regulated community of significant burden.

To help you evaluate which of these notices and other documents are necessary to be submitted to us, we have developed some criteria, such as notices necessary for:

- Hazardous Waste Program Evaluation: These are items collected to measure the success of programs in protecting human health and the environment. They could include corrective action reports.
- Hazardous Waste Program Implementation: This is information collected to help us develop regulations and policies. This could include the biennial report and assurances of financial responsibility for corrective action.
- Enforcement: These items are necessary for the enforcement of environmental regulations. For example, the requirement that hazardous waste generators and transporters notify us of their legal owner provides us with information needed to identify responsible parties in enforcement cases.
- Required by statute: These are information items we must collect according to the RCRA statute, such as the hazardous waste reports under RCRA Section 3002.

C. Should We Lengthen the Periods Between Facility Self-Inspections?

Existing Self-Inspection Requirements

RCRA regulations require large quantity generators and treatment, storage and disposal facilities to inspect their facilities to ensure that they are operating in compliance with RCRA requirements. The regulations include both facility-wide and specific types of unit and equipment inspection standards. Some of RCRA's inspection requirements specify a frequency with which inspections must be conducted. For example, an owner of a container storage area must inspect it at least weekly, while an owner of a tank must inspect it daily. You can find RCRA's inspection requirements throughout the regulations, but mostly in 40 CFR Parts 264 and 265.

Inspections are a vital component of an effective regulatory system. We also recognize that some facilities may have very good facility management practices and might be able to inspect less frequently without sacrificing human health and environmental protection.

Possible Changes to the Inspection Requirements

We are evaluating whether to revise RCRA's inspection requirements by lengthening the time between inspections. We believe that some facilities might have controls in place that could let us reduce the frequency of inspections; this could possibly be established on a case-by-case basis. These special inspection schedules might be worked out during facility permitting, and/or we might put a special variance in the regulations under which we could allow less frequent inspections. We are also considering a variable implementation schedule, where for example, larger tank inspection frequency would remain the same, while smaller tanks would be inspected less frequently. And, we are considering a phased schedule where facility inspection might go from daily to weekly to biweekly, if no problems arise.

Questions/Comments

We would like comment on whether we should lengthen any of RCRA's inspection frequencies, on the extent to which such an action would reduce burden, and whether this would impact human health and the environment. Also, you might suggest mechanisms such as variances and waivers that we could use to allow a less frequent schedule, and what should be involved in such mechanisms, such as public input. If you are opposed to the idea of lengthening inspection frequencies, please explain your concerns.

D. Should We Change RCRA Personnel Training Requirements?

Existing RCRA Requirements for Personnel Training

RCRA regulations require large quantity generators (LQGs) and treatment, storage, and disposal facilities (TSDFs) to train their employees on how to perform their jobs in a way that ensures the facility's compliance with RCRA requirements (see 40 CFR 262.34(a)(4) for LQGs and 40 CFR 264.16 for TSDFs).

The training program must ensure that employees are able to respond to emergencies by familiarizing them with emergency procedures, equipment, and systems, and must include introductory and refresher courses and be taught by a qualified trainer. Employees must complete the program within six months after being hired or assigned to a new position at the facility. LQGs and TSDFs must keep updated information on employees, job descriptions, and the type of training that facility personnel have received. Training records on current personnel must be kept until closure of the facility.

Possible Changes to RCRA Personnel Training Requirements

We are evaluating two alternatives for changing the RCRA personnel training requirements. Alternative 1 would keep the requirements for personnel training under RCRA the same. However, we would eliminate all associated recordkeeping. Alternative 2 would eliminate the RCRA personnel training requirements that we believe overlap with Occupational Safety and Health Administration (OSHA) training requirements.

Alternative 1: Eliminate Recordkeeping for RCRA Personnel Training.

We are evaluating eliminating all recordkeeping associated with RCRA personnel training and replacing it with a one-time certification that all employees have been properly trained. Under this approach, we would maintain the Section 264.16(a)–(c) requirements and eliminate paragraph (d), replacing it with the certification. We would like comment on whether a certification would be sufficient to verify that employees have received proper training.

Alternative 2: Replace RCRA Personnel Training Requirements that overlap OSHA Training Requirements.

We believe that some RCRA personnel training requirements overlap with OSHA's requirements for health and safety training (see 29 CFR 1910.120 for some of OSHA's training requirements). For example, both regulatory programs require that facility personnel be trained in emergency response.

We are evaluating whether to eliminate RCRA requirements that may duplicate OSHA's. For requirements that overlap, we could just reference the OSHA requirements, or simply eliminate the entire set of RCRA requirements. We would work closely with OSHA if we did this. We have prepared a document that is in the

RCRA Information Center and on the Internet which provides information on what we believe to be overlapping requirements.

Questions/Comments

We would like comment on whether we should eliminate all recordkeeping for RCRA personnel training, or all training and recordkeeping that duplicates OSHA's. Please let us know if and where you believe the RCRA and OSHA training programs are duplicative for LQGs and TSDFs. In addition, please comment on whether the RCRA regulations require training beyond the scope of OSHA's training and whether their elimination would impact human health or the environment.

E. Should We Streamline the LDR Paperwork Requirements?

Existing LDR Paperwork Requirements

The Land Disposal Restrictions (LDR) are a major component of the RCRA program. In addition to establishing treatment standards for hazardous waste prior to land disposal, Part 268 requires generators and TSDFs to determine if their waste needs to be treated before land disposal, and requires notices and/or certifications to be sent with the waste shipments to TSDFs. Generators and TSDFs must keep records of their waste determinations, notifications, certifications, and other paperwork for three years.

The LDR paperwork requirements account for nearly one-third of all the burden for the RCRA program. Since the passage of the Paperwork Reduction Act, we have reduced LDR paperwork substantially—particularly with the May 12, 1997 Land Disposal Restrictions rule. Before this rule, generators and treaters that sent their hazardous waste offsite had to send a notification with each shipment of waste. This rule changed these requirements so that the notification need only be sent with the initial waste shipment, so long as the waste and the receiving facility remained unchanged. This paperwork change resulted in a savings of 1,630,000 burden hours annually. We are now evaluating the LDR paperwork requirements for even more burden reduction.

Based on our review of the LDR paperwork requirements, as well as conversations with the regulated community, we believe that some of the Part 268 requirements for waste determinations, notifications, and certifications could be reduced or eliminated altogether. We have summarized these requirements as they currently exist in the following paragraphs:

Section 268.7(a) Generator Paperwork Requirements.

Hazardous waste generators must determine if their waste meets the applicable LDR treatment standards. They may either test the waste or use their knowledge of it to make the determination (268.7(a)(1)). If the waste does not meet the applicable standards, the generator must send a one-time notification to the treatment facility indicating this. And, when the waste does meets the treatment standards, the generator must also send a one-time certification with the initial shipment. These one-time notifications and certifications must be placed in the generator's files. No further notification is required, except if the waste or receiving facility changes, in which case a new notification must be sent and a copy placed in the generator's files (268.7(a)(2)–(3)). Generators must keep copies of all waste determinations, notifications and certifications for at least three years (268.7(a)(8)).

Section 268.7(b) Treatment Facility Paperwork Requirements.

Treatment facilities must test their waste according to the frequencies established in their waste analysis plans to determine whether their waste complies with applicable LDR treatment standards (268.7(b)(1)–(2)). In addition, treatment facilities must send a one-time notice to the disposal facility that provides specified information on the waste. The treatment facility must also send a one-time certification to the disposal facility that the treatment technology used was operated properly. No further notification or certification is required, except if the waste or receiving facility changes, in which case a new notification and certification must be sent and a copy placed in the treatment facility's files (268.7(b)(3)–(4)). Where a waste is a recyclable material used in a manner constituting disposal (and meets other criteria), the treatment facility/recycler need not notify the receiving facility. It still must send a notice and certification with each shipment to EPA. It must also keep records of who received the hazardous waste-derived product (268.7(b)(6)).

Section 268.7(d) Paperwork Requirements for Hazardous Debris.

Generators or treatment facilities who claim that their hazardous debris is excluded from the definition of a hazardous waste, such as debris treated by a specified extraction or destruction technology, must send a one-time notification to EPA and keep a copy in their files. The notification must be updated under specified circumstances such as if the waste is shipped to a different facility. In addition, treatment facilities must certify compliance with the treatment standards by keeping specified records such as inspections and, for each shipment of treated debris, place a signed certification of compliance in their files.

Section 268.9 Paperwork Requirements for Characteristic Waste.

Generators of characteristic hazardous wastes must determine the underlying hazardous constituents (268.2(i)) in their characteristic waste. They may either test the waste or use knowledge of it to make the determination. (268.7(a)(1)). Generators or treatment facilities who treat their characteristic hazardous wastes to meet the treatment standards at 40 CFR Section 268.48 and render the waste non-hazardous must place a one-time notification and certification in their files. They must also send a copy to EPA. The generator or treatment facility must update the notification and certification in their files if the operation generating the waste changes and/or if the facility receiving the waste changes. The generator or treatment facility must update EPA on an annual basis if such changes occur.

Possible Changes to LDR Paperwork Requirements

We are evaluating the following changes to the LDR program:

Change 1: Eliminate 268.7(a)(1) Generator Waste Determinations.

We are assessing whether a separate waste determination under 268.7(a) is needed. Currently, generators are required to determine whether they have a hazardous waste under section 262.11. And, treaters are required to obtain a detailed chemical and physical analysis under section 264.13, which provides all the information required to comply with Part 268. Under section 268.40, hazardous waste is prohibited from land disposal unless it meets the requirements in the Table of Treatment Standards (which requires knowledge of EPA hazardous waste code, waste constituents, wastewater and nonwastewater classification, and treatability group).

We believe that the section 262.11 waste determination, along with the determinations required under sections 264.13 and 268.40, would be sufficient to assure that a waste is properly characterized for achieving compliance with the LDRs. In addition, we believe that a TSDF may continue to use generator-supplied information, if available, to meet 264.13 and 269.40 obligations, even if the waste determination requirement under 268.7

is removed. Therefore, we are considering whether the 268.7(a) waste determination should be eliminated.

Change 2: Eliminate 268.7(b)(6) Recycler Notifications and Certifications.

We believe it may be unnecessary for treatment facilities or recyclers to send these notifications and certifications to EPA, as long as the information contained in them is kept in facility records. We note that this kind of reporting relief is not new to the RCRA program. RCRA regulations currently allow waste handlers making a claim (or taking other action) to keep records on site and not submit them. For example, under 261.2(f), a person can accumulate materials before recycling without being subject to RCRA if it can be proved that the materials are potentially recyclable and have a feasible means of being recycled. Submittal of this proof is not required.

Change 3: Eliminate 268.7(d) Hazardous Debris Notifications.

We believe it may be unnecessary for generators and treaters of excluded debris to send these notifications to EPA, as long as the information contained in them is kept in facility records. Our reasoning is set out in Change 2 above.

Change 4: Eliminate 268.9(a) Characteristic Waste Determinations and Streamline 268.9(d) Notification Procedures.

We are reconsidering whether a separate waste determination under 268.9(a) is needed. Generators are required to determine whether they have a hazardous waste under section 262.11. Treaters are required to obtain a detailed chemical and physical analysis under section 264.13 which provides all information required to comply with Part 268 (among other requirements). And under section 268.40, hazardous waste is prohibited from land disposal unless it meets the requirements in the Table of Treatment Standards (which requires knowledge of the EPA hazardous characteristic waste code, underlying hazardous constituents, wastewater and nonwastewater classification, and treatability group).

We believe that the section 262.11 waste determination, along with the determinations required under sections 264.13 and 268.40, would be sufficient to assure a waste is properly characterized for achieving compliance with the LDRs. Therefore, we are considering whether the 268.9(a) waste determination should be eliminated.

Under section 268.9(d), once a characteristic waste is treated so it is no longer characteristic, a one-time notification and certification must be placed in the generators' or treaters' files and sent to EPA. We are reevaluating whether these records need to be sent to EPA when they are required to be kept on site in the facility's files. Our reasoning is set out in Change 2 above.

Comments/Questions

We are soliciting comment on whether we should modify any of these LDR requirements for waste determinations or notifications. Please let us know if the contemplated modifications would eliminate information waste handlers need to manage wastes properly. And, please let us know if the reduced tracking requirements would weaken waste handlers' accountability.

F. Should We Reduce Amount of Data Collected by the Biennial Report?

Existing Reporting Requirements for the Biennial Report

RCRA requires hazardous waste generators and TSDFs to submit a report every other year on the quantity, composition, and disposition of hazardous wastes they generate or receive for treatment, storage, or disposal. Congress required that these reports be submitted to EPA or an authorized state.

To implement these provisions, we issued the Biennial Report regulations for large quantity generators and TSDFs, which are found in 40 CFR 262.41, 264.75, and 265.75. Generators and TSDFs must submit the Biennial Report forms by March 1 of every even numbered year for their hazardous waste activities in the previous (odd numbered) year. Through these forms and their instructions, we tell generators and TSDFs what information they should provide.

Over the years, we have changed the Biennial Report forms and instructions. For example, in the 1997 Biennial Report, we eliminated the entire Waste Treatment, Disposal, or Recycling Process System (PS) form and the waste minimization questions. In doing so, we decreased the amount of burden associated with the Biennial Report.

Possible Changes to the Biennial Report

We are evaluating whether we should revise the Biennial Report forms and instructions to further reduce burden. Potentially, these changes could be implemented for the 2001 Biennial Report cycle.

Change 1: Remove Optional Data Elements from the Current BRS Forms.

The current Biennial Report forms include data elements required by EPA and those that are optionally reported by respondents. These optional elements include state hazardous waste code, SIC code, origin code, source code, point of measurement, and form code. We are evaluating whether to remove some or all of these optional data elements from the Biennial Report forms. Since not all respondents complete the optional elements, we have incomplete information in our national database for these elements. We have proposed eliminating these elements before, and have received mixed feedback from states and the regulated community.

Change 2: Eliminate Reporting of RCRA Hazardous Wastes That Are Managed in Units Exempt From RCRA Permitting.

Currently, the Biennial Report covers all hazardous wastes that are generated by LQGs and managed by TSDFs. However, many RCRA hazardous wastestreams are managed in units that are subject to other environmental laws, such as the Clean Water Act and the Safe Drinking Water Act. These particular waste streams are typically high volume industrial wastewaters. We are considering whether to continue asking for the reporting of any wastewater or nonwastewater wastestream managed in exempt units in future Biennial Reports. We have also proposed this idea before, and received mixed feedback.

Questions/Comments

We would like to know how you use Biennial Report data. We would also like comments on these and other possible changes to the Biennial Report. We want to know what impacts these changes might have on how your facility would be characterized, as well as the characterization of your waste streams. Would hazardous waste generation and management data collected through a data set that excluded hazardous wastes managed in units exempt from RCRA permitting meet the needs of Biennial Report users? Would Biennial Report data that does not have optional data elements be useful? Conversely, if optional data elements are retained, how will that affect the usefulness and quality of the data for analysis? As with other sections in today's NODA, do you have additional ideas for reducing burden associated with the Biennial Report?

III. What Other Burden Reduction Efforts Are Taking Place in RCRA

In addition to the proposals listed in today's NODA, there are other efforts in EPA to identify and streamline RCRA paperwork requirements. Because these projects are being conducted as separate

efforts from this particular burden reduction project, we are not seeking detailed comments on them in this Notice, except for the BRS/TRI integration idea.

A. Changes to the Hazardous Waste Manifest

Existing Manifest Requirements

RCRA directs us to develop a manifest system to ensure that offsite shipments of hazardous waste arrive at a designated treatment, storage, or disposal facility. The manifest system requirements are in 40 CFR Parts 262, 263, 264, and 265. Under Part 262, hazardous waste generators generally must complete a manifest for each shipment of hazardous waste offsite. The manifest consists of a minimum of four copies to facilitate recordkeeping by multiple parties. Generators must keep a copy of the manifest signed by the transporter and, subsequently, by the designated TSDF who must return a copy to the generator. Part 263 requires hazardous waste transporters to sign and date the manifest at pickup, carry it to the designated TSDF, and keep a copy. Parts 264 and 265 require designated TSDFs to sign and date the manifest, note any significant discrepancies, return a copy to the generator, and keep a copy.

Proposed Changes to Manifest System

Based on recent analyses, we estimate that waste handlers take about 4.2 million hours each year to comply with EPA and State manifesting requirements. We are evaluating modifications to the manifest system which could substantially reduce this burden, including:

Modifying the manifest form.

We are considering further standardizing the manifest form and allowing generators to obtain the form from multiple sources. We are also thinking about ways to reduce the burden associated with a generator's waste minimization certification requirements.

Providing manifesting relief to utilities.

Electric and gas utilities have told us they have difficulty complying with some of the manifest procedures at their remote sites (such as substations and manholes). We are evaluating whether to streamline manifesting procedures for these sites.

Allowing automation of manifesting activities.

We are considering standards to enable industry to automate their manifesting. To study this, we developed the Hazardous Waste Manifest Automation Pilot Project, which is looking at both Electronic Data Interchange (EDI) and the Internet as mechanisms for automation. We have tested EDI with waste handlers and hazardous waste agencies in three states. Generators initiated the EDI manifests from their personal computers and transmitted them through a network to transporters, waste management facilities, and state agencies. Each facility signed their manifests with a unique identification number. Plans for the rest of 1999 include testing a digital signature in an EDI system and testing use of the Internet to transmit manifests.

Addressing other technical concerns.

We are also evaluating improvements to other areas of the manifest system. These include reducing inconsistencies between EPA and DOT shipping requirements and improving the tracking of problem shipments such as rejected loads and container residues.

If adopted, these changes could result in 600,000 hours of burden reduction. These changes are scheduled to be published in a proposed rule in June 2000.

B. Is There a Way To Decrease Burden Reduction of Biennial Reporting System (BRS) Through Integration With the Toxics Release Inventory (TRI)?

An area for potential burden reduction that comes up frequently is minimizing the overlap of reporting requirements for facilities that file both the Biennial Report and the Toxic Release Inventory. EPA is aware of the differences between these two information systems, including the universe covered, the frequency of reporting, what is reported, and the definition of facilities. However, a 1995 study of facilities showed that 43% of facilities reporting under BRS also reported to TRI and these facilities produced over 90% of the hazardous waste volumes reported to BRS. With recent changes to TRI, the percentage of BRS facilities that also report to TRI are expected to be even higher. Given this overlap, EPA believes it should assess burden reduction opportunities in this area. Comment is requested on the following ideas:

Change 1: Pre-population of electronic forms with redundant data elements.

Some burden reduction may be achieved by ensuring that similar data elements are uniformly defined so that an electronic reporting format for pre-populating a facility's TRI report with similar data elements from that facility's BRS submission (or a BRS submission with TRI data) could be implemented. These include the name of the facility, street and mailing addresses of the facility, contact names and telephone numbers, SIC Code, and EPA ID Number.

Change 2: Eliminate Biennial Reporting for wastes covered under TRI.

Studies have shown that facilities which report under the Biennial Report and also report to the Toxics Release Inventory are likely generating 90% of the wastes that are reported to BRS. Although BRS collects data on hazardous waste quantities and not the toxic chemical quantities reported to TRI, we are studying ways to match hazardous waste streams with the chemicals reporting in TRI . To the extent these matches can be made clearly and accurately, we could potentially eliminate whole categories of hazardous waste from being reported in the Biennial Report.

Change 3: Limit the Biennial Report to 100 top generators; rely on TRI for other RCRA facilities.

A small number of facilities are responsible for the majority of the waste reported in BRS. This option would require the top 100 (or some other number) facilities as measured by waste volume reported to BRS to continue reporting under BRS. No other facilities would have to report to BRS. All of these other facilities who reported to TRI in the past would still report to TRI in this option.

Note that only facilities in certain North American Industrial Classification System (NAICS—the replacement for SIC) codes are required to report under TRI. Under this option, many generators who now report under BRS would not be required to report under TRI. This would include business services (NAICS 5414), automotive repair and services (NAICS 8111), health services (NAICS 621), national security (NAICS 928), and wholesale/retail trade sectors. Furthermore, under this option, we would no longer obtain information on off-site waste shipments, since this is not covered in TRI.

Change 4: Collect all information under TRI.

Under this option, the TRI form would be modified to take data elements currently only collected in BRS, such as waste code description, waste code number, RCRA permitting information and put them on the TRI form. There would be no more Biennial Report. The TRI reporting universe would remain the same under this option.

EPA is aware that these options could pose concerns to both states and the regulated community, especially given the investments that have been made in BRS. We welcome comment on impacts should any of these options be

implemented, and whether they would reduce the paperwork burden on the public and regulated community.

C. Other RCRA Initiatives

We are not taking comments on the following initiatives. They are being presented for informational purposes.

• EPA and the States have recognized the need to reassess the information collected and managed to implement the RCRA hazardous waste program. To meet this need, the Waste Information Needs (WIN) Initiative was established to plan for and implement necessary information management changes. One of the key principles of the WIN Initiative is to identifying opportunities for reducing reporting burden.

The Initiative is evaluating what information is needed to implement and manage the hazardous waste program. Once these needs have been identified, the Initiative will determine what information should be available in a national database. The project has five phases: Planning, analysis, design, construction, and implementation. Currently the project is in the analysis and design phases.

For the analysis phase we divided the hazardous waste program into five areas, which are called Program Area Analyses (PAA). Three PAAs are active:

—Program Evaluation: The information needed to plan and evaluate the hazardous waste program against its goals and objectives.
—Universe Identification: Who is regulated and what we need to know to categorize and track them.
—Waste Activity Monitoring: The information needed on characterization, generation, movement, and management of hazardous wastes.

More information on the WIN/INFORMED Initiative is available on the Internet at: http://www.eps.gov/epaoswer/hazwaste/data.

• EPA is drafting streamlined permitting procedures for facilities that generate hazardous waste and manage it on-site in tanks, containers, or containment buildings. We expect a proposed rule on this subject to be published this summer.

• EPA proposed in a rulemaking in February of this year to allow generators of the RCRA hazardous waste F006 (wastewater treatment sludges from electroplating) up to 180 days (or 270 days, if applicable) accumulation time without obtaining a hazardous waste storage permit or interim status if certain conditions are met. This is an extension by 90 days of the time period to store hazardous waste without a permit.

• EPA is working to streamline RCRA Appendix VIII of 40 CFR 261. This is a list of over 480 chemicals used to define hazardous waste as well as the constituents which must be monitored during waste treatment. To reduce the burden to Appendix VIII users, EPA is reconfiguring and modifying Appendix VIII entries based on the probability of occurrence of certain constituents in particular types of waste.

• A number of years ago, we reexamined the regulatory standards for used oil handlers. We decided to remove used oil handlers entirely from the hazardous waste regulatory realm. They are now covered under their own regulatory authority, which provides hazardous waste regulatory-level environmental protection with a much lower level of reporting and record keeping. At the time these standards were established, EPA learned that most of the recordkeeping requirements established in the new regulatory scheme were already standard industry practices. Because substantial changes have already been implemented by this program, we have not included any used oil ideas in today's Notice.

• Likewise, a number of years ago we reexamined the regulations governing the collection and management of universal waste—batteries, thermostats, and certain pesticides. We decided to reduce the reporting requirements for these wastes at that time. For example, Biennial Report requirements do not apply to large quantity and small quantity handlers of universal waste, and a manifest is not required to accompany off-site shipments.

• The Office of Air Quality Planning and Standards has enacted burden reduction for the RCRA air regulations (40 CFR Parts 264 and 265 subparts AA: Process vents, BB:Equipment leaks, and CC: Tanks, surface impoundments, containers, and miscellaneous units). This eliminated much of the overlap between the RCRA air regulations and the Clean Air Act standards. Now TSDFs and large quantity generators can demonstrate compliance with the RCRA air regulations by simply documenting that affected units are operating with air emission controls that are in accordance with applicable Clean Air Act standards under 40 CFR 60, 61, or 63.

For any RCRA unit in compliance with such Clean Air Act regulations, these provisions would reduce the reporting and record keeping burden of the RCRA air regulations by nearly 100%. EPA is currently in the process of quantifying the burden reduction savings of these provisions. We expect that the majority of large-quantity generators and TSDFs are subject to one or more regulations under 40 CFR 60, 61 or 63. In addition to these compliance exemptions, EPA has also published other amendments to the Subparts AA, BB and CC air regulations that significantly reduce reporting and record keeping.

IV. What Are Other Agency Burden Reduction Initiatives?

We are not taking comments on the following initiatives. They are being presented for informational purposes.

• The Agency's The Next Generation in Permitting Plan, which was announced in February of this year, combines permitting system improvements underway in the individual program offices (such as hazardous waste, air, and water) with improvements developed by an Agency workgroup. The goal is to increase flexibility, encourage pollution reduction, improve public participation in permitting decisions, and reduce paperwork burden.

• The different designs of Agency information collection systems have caused facilities to be identified inconsistently across program offices. This makes it difficult to link and analyze all the information collected by EPA. The Agency's Facility Identification Initiative hopes to standardize identification information for all facilities subject to federal environmental reporting requirements.

• The One Stop Reporting Program's mission is to reinvent environmental reporting to: reduce industry reporting burden, foster multimedia and place-based (a specific area of contamination, an ecological area, or a political jurisdiction) approaches to environmental problem solving, and provide the public with easy access to environmental information. Recognizing the importance of states as primary collectors of environmental data, One-Stop is working with them to implement data reporting and management reforms. To date, the One Stop Program has awarded demonstration grants to 21 states to work towards achieving these goals.

• The Common Sense Initiative (CSI), which began in1994, has tested the possibilities of replacing a single-media approach to regulation and reporting with a multimedia approach focusing on industrial sectors. One of the industries that has been looked at is the metal finishing industry. From this examination, several recommendations were made: We should promote electronic reporting (one of the recommendations in today's NODA), replace RCRA IDs with a common identification that could be used across

multi-media programs, and eliminate redundancy in the Toxics Release Inventory, the Hazardous Waste Manifest, and the Biennial Report.

The CSI CURE (Consolidated Uniform Report for the Environment) project was developed for the computer and electronics industry sector between 1995–99 by the state of Texas. CSI CURE examined consolidating environmental reporting at the facility level and eliminating redundancies.

• In February 1998, the EPA Administrator issued the Reinventing Environmental Information Action Plan. The Plan commits EPA, in partnership with the states, to implement core data standards and make electronic reporting available in the Agency's major national systems within five years.

• Finally, in partnership with industry associations, environmental groups, universities, and other government agencies, EPA has created nine Compliance Assistance Centers. The Centers help small and medium sized businesses and local governments better understand and comply with federal environmental requirements. Each center is targeted to a specific industry sector and explains relevant federal environmental regulations.

V. Technical Background Information Containing Specific Burden Reduction Ideas

A. Is There a Description of Burden Reduction Ideas Not in Today's NODA?

We have put a document entitled "Burden Reduction Ideas" in the RCRA Information Center and on the Internet: http://*www.epa.oswer/hazwaste/data/burdenreduction*. In it, we describe some sections of the RCRA regulations that require paperwork and propose ideas for reducing this burden.

We seek your comments on the merits or disadvantages of any of these ideas and our estimates of burden savings. As with other sections of this NODA, if you have additional ideas, we welcome them.

B. What Are the RCRA Hazardous Waste Reporting Requirements?

We have put a document entitled "RCRA Hazardous Waste Reporting Requirements" in the RCRA Docket and on the Internet. In this document, we list all the RCRA hazardous waste reporting requirements. For each reporting requirement, we provide specific information on each requirement, including a description of the requirement, its regulatory citation(s), the approved EPA ICR that covers the reporting requirement, the current baseline burden estimate, frequency of its reporting, and whether the requirement applies to generators, TSDFs, or both. We organize and display the reporting requirements in six categories: Notifications; reports; certifications; variances, exemptions, demonstrations, and extensions; permits; and plans. Within these categories, we sorted the requirements by regulatory citation.

As noted earlier in the NODA, we are evaluating whether we should turn some of the RCRA hazardous waste reporting requirements into recordkeeping requirements. We recognize that some of this information will still need to be reported to EPA or a state. We seek your comments on this concept, what criteria should be used in determining whether reporting requirements can be turned into recordkeeping requirements, any potential impacts there would be if this information is not submitted, and whether this will result in burden reduction.

C. What Are the Accounting Changes for OSW ICRs?

We have put a document entitled "Accounting Changes" in the RCRA Docket and on the Internet. In this document, we list accounting changes for some OSW ICRs that could be implemented through ICR renewals. Accounting changes are not changes to paperwork requirements but rather changes to the way we measure burden in our ICRs: They are our efforts to better estimate the actual burden to the public and regulated community. For example, we could make it a rule throughout all ICRs that we only assign burden for reading regulations to new facilities. The presumption here is that existing facilities know the regulations and do not have to read them each time they do an activity. While not regulatory changes, these accounting changes reduce the amount of paperwork burden OSW has in its individual ICRs.

In this document, we list proposed accounting changes for reducing burden associated with specific paperwork requirements and ICRs. Each idea includes a brief summary, the affected regulatory citations, comments on implementing these ideas, the ICR in which the paperwork requirement can be found, an estimate of the burden savings that might be achieved if it were implemented, and a description of the assumptions used in calculating the potential burden hour savings. In most cases, we used our best judgment to estimate the savings, while in others, we were able to make specific calculations.

In reviewing this document, we ask you to comment on whether these are realistic assumptions and the accuracy of our estimates of burden savings.

D. What Are OSW's Burden Hours ?

We have put a document in the RCRA docket and on the Internet which lists OSW's ICRs and their burden hours as of 1995 and today.

Dated: June 8, 1999.

Elizabeth Cotsworth,

Acting Director, Office of Solid Waste.

[FR Doc. 99–15544 Filed 6–17–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[OPP–34188; FRL 6084–6]

Notice of Receipt of Requests for Amendments to Delete Uses in Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of request for amendment by registrants to delete uses in certain pesticide registrations.

DATES: The Agency will approve these use deletions and the deletions will become effective on or soon after the date of publication.

FOR FURTHER INFORMATION CONTACT: By mail: Dennis McNeilly, Office of Pesticide Programs (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location for commercial courier delivery, telephone number and e-mail address: Rm. 216, Crystal Mall No. 2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 305–5404; e-mail: mcneilly.dennis@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be amended to delete one or more uses. The Act further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, the Administrator may approve such a request.

II. Intent to Delete Uses

This notice announces receipt by the Agency of applications from registrants to delete uses in three (3) chlorpyrifos