

10019951

ENVIRONMENTAL PROTECTION AGENCY

REPORT TO THE PRESIDENT:

**ELIMINATING AND IMPROVING
REGULATIONS**

June 1, 1995

TABLE OF CONTENTS

TAB 1	Appendix (Narrative Summary and Highlights)
TAB 2	Table: Office of Water
TAB 3	Table: Office of Air and Radiation
TAB 4	Table: Office of Prevention, Pesticides and Toxic Substances
TAB 5	Table: Office of Solid Waste and Emergency Response
TAB 6	Table: Office of Administration and Resources Management
TAB 7	Table: Office of Enforcement and Compliance Assurance
TAB 8	Table: Office of Research and Development
TAB 9	Table: Office of Civil Rights, Office of Administrator

Environmental Protection Agency

Narrative Summary

I. Method Used for the Review

Reinvention at EPA is a high priority, on-going effort. On March 16, 1995, President Clinton and Vice President Gore announced 25 initiatives contained in the report Reinventing Environmental Regulation. These initiatives are grounded in common sense and provide the flexibility to use innovative solutions to environmental problems to achieve greater environmental benefit for less cost. They include improvements to the current regulatory system and bold experiments to test the building blocks for a new environmental management system for the 21st century.

EPA continues to explore new and better ways to carry out its mission. This report represents an important part of EPA's continuing efforts to reinvent environmental regulations. It is the result of a thorough review of existing regulations carried out in response to the President's request, on March 4, 1995, that all Federal regulatory agencies review their regulations to identify those that are outdated or otherwise in need of reform. The regulatory changes and deletions recommended in this report are intended to further the Agency's effort to provide common sense environmental regulation.

Many of the deletions and changes are small improvements in non-controversial areas which, when added together, will go a long way toward making EPA regulations more accessible to the public -- easier to read, better organized, more consistent and up-to-date. Other changes address EPA's most controversial regulatory programs such as solid and hazardous waste, drinking water, and air toxics. In addition, EPA has identified a number of ways in which some straightforward changes in key enabling legislation would provide some substantial improvements in environmental management. All of the changes identified in this report are part of the Agency's larger effort to reinvent environmental management through improving existing rules and policies, and through innovative approaches to new rules and legislation.

Organizing for the Review. Responding enthusiastically to the Presidential initiative, EPA formed several teams with specific functions. Each major office formed a broad-based Regulatory Review Team to conduct the line-by-line review and develop for public review a preliminary list of regulations ripe for deletion or reform. Each of the Regulatory Review Teams formed work groups that included senior regulatory program staff within Headquarters and front line regulators in EPA Regional offices and several States.

In addition, a cross-agency Regulatory Review Coordination Team provided oversight for the entire project, consolidated Regulatory Review Team reports and worked with Regional offices to get recommendations from frontline regulators and the regulated community. In addition, the Office of Administration and Resources Management assembled an internal work group to examine EPA's current performance measures.

During the initial review process, work groups employed a variety of approaches to organize, examine and make determinations about the rules and statutory provisions EPA administers. For example, the Office of Prevention, Pesticides and Toxic Substances assigned two or more team members, including representatives from the Offices of General Counsel and Enforcement and Compliance Assurance, to identify and evaluate issues on specific regulations and report to the larger group. These "mini-teams," consisted of a staff member who was well versed in the regulation and another who was able to provide a fresh, outside perspective on the requirements.

Outreach. In order to obtain a broad range of recommendations in the brief time provided, EPA conducted outreach on three tracks: meetings with the Administrator and Deputy Administrator, program-specific meetings organized by the Regulatory Review Teams, and broad-based meetings organized by Regional offices in nearly every State. In all, EPA held more than seventy-five meetings with interested groups around the country. The information developed from these efforts was carefully considered when determining which regulatory revisions and deletions to pursue, and is still proving to be helpful in EPA's continued evaluation of its regulations.

During April and May, Administrator Carol Browner and Deputy Administrator Fred Hansen participated in five stakeholder outreach meetings outside of the Washington, D.C. area to discuss partnership and flexibility in the regulatory process. They met with stakeholders in Dallas, Tallahassee, Kansas City, San Francisco, and New York City. The meetings included representatives from the business community, environmentalists, State and Federal frontline workers, and other interested parties. The structure and format of the meetings varied from roundtable discussions to larger forums with breakout sessions. The discussions were an excellent vehicle for participants to express their ideas and concerns about specific regulations and the current regulatory process, as well as ways which EPA can develop more effective partnerships. At the request of the National Performance Review, EPA helped establish the prototype for federal agency partnership meetings with a March 21st meeting in Boston led by the Regional Administrator and attended by forty stakeholders. In addition, the Administrator and Deputy Administrator discussed the regulatory reform effort in many speeches and press interviews.

Each Regulatory Review Team provided briefings for environmental/public interest organizations, industry and trade groups, and frontline regulators on the

initiative, presenting their preliminary proposals and asking for comments and suggestions from participants. Both informal and more formal approaches were used. For example, the Assistant Administrator for Water used routinely scheduled breakfast meetings with stakeholder groups to discuss the regulatory review effort. Other presentations were more formal, such as to the Small Business Environmental Roundtable and the National Conference for Underground Storage Tanks. Regulatory Review Team members sponsored or solicited comments at more than a dozen meetings.

Outside of Washington, Regional and Headquarters personnel worked together to identify stakeholders, inform them about the initiative, and obtain direct feedback on specific regulations. To maximize opportunities, they identified existing meetings in every state where they could introduce the initiative and hold discussions with the attendees. To reach larger audiences, Regional and Headquarters personnel organized meetings across the country during March and April, ranging from open forum, town-hall meetings to issue-specific meetings with targeted audiences. More than sixty meetings with stakeholders were held outside the Washington, D.C. area.

II. Deletions from the CFR

As a result of the line-by-line review, Agency offices identified a total of 1,457 pages which they plan to remove from the CFR. This equals about 11 percent of the Agency's total count of 12,766 pages. Many of these pages involve legally obsolete or unnecessary provisions and will be deleted immediately. These deletions will make EPA's regulations easier to understand and access, but will have little substantive impact on active requirements. Other changes will result from efforts to restructure and simplify rules over the next year. Some of the more significant changes are highlighted below. Table 1 illustrates the distribution of pages to be removed across the program offices.

A large page deletion is anticipated in the water program area due to the Agency's planned restructuring next year of two major bodies of water regulations -- the National Primary Drinking Water Standards and Effluent Guidelines. Both sets of regulations will be simplified and streamlined to provide the public with easier access to information and remove hundreds of pages from the CFR.

Table 1
CFR Deletions
(Pages)

<u>Office</u>	<u>Removed</u>	<u>Total</u>	<u>Percent Removed</u>
Air and Radiation	305	6,195	5%
Enforcement and Compliance Assurance	1	72	1%
Prevention, Pesticides and Toxics	440	2,040	22%
Solid Waste and Emergency Response	86	2,022	4%
Water	540	2,090	26%
Administration & Resources Management	63	305	21%
Other	22	42	52%
Total	1,457	12,766	11%

One of the most significant deletions is the removal of the Comprehensive Assessment Information Rule (CAIR) from the CFR. After the first use of CAIR in 1989, a lawsuit stayed the effectiveness of this regulation until EPA could promulgate amendments. Although amendments to this regulation were proposed last year, the amendments will not be made final, and EPA will remove existing provisions from the CFR. By withdrawing the recently proposed amendments, EPA estimates it is avoiding costs to manufacturers, processors, and importers of approximately \$3,350,000 and 140,000 burden hours.

EPA has determined that chemical test guidelines are best published as guidance, with the test objectives set forth and the methods recommended, but not required in detail. Originally EPA intended its chemical test guidelines to be regulations, and published many of the guidelines in the CFR. EPA has since determined that a more flexible approach is needed. Maximizing the many non-CFR avenues for providing testing guidelines to the testing community, EPA believes that this new approach provides the necessary flexibility for a more efficient and streamlined testing program which is easily adaptable for testing unusual chemicals or applications.

In addition to providing flexibility to the regulated community, EPA's actions could eventually result in elimination from the CFR of much of the 500 pages devoted to the guidelines currently in use.

III. Reinvention Results

The results of the Agency's reinvention efforts are illustrated in Table 2. They demonstrate that of 306 CFR Parts, EPA will take actions to delete and/or modify rule sections involving 229 Parts, approximately 75 percent. Only 77 parts, or 25 percent, will remain unchanged at the current time. In many cases, the unchanged rules are recent additions, EPA codifications of common rules, or rules which received broad stakeholder support. It should also be noted that the 17 Parts (out of 44) being addressed by the Office of Air and Radiation actually represent eighty percent of the 6195 pages addressed by that office.

Table 2
Reinvention Summary (Parts)

<u>Office</u>	<u>Reinvent</u>	<u>No Change</u>	<u>Total</u>
Air and Radiation	17 (39%)	27 (61%)	44
Enforcement and Compliance Assurance	2 (100%)	0 (0%)	2
Prevention, Pesticides and Toxics	49 (88%)	7 (12%)	56
Solid Waste and Emergency Response	43 (78%)	12 (31%)	55
Water	74 (80%)	19 (20%)	93
Administration and Resources Management	42 (79%)	11 (21%)	53
Other	2 (67%)	1 (33%)	3
<u>Total</u>	229 (75%)	77 (25%)	306

IV. EPA Reinvention Highlights

EPA has worked closely with States and localities, industries, and public interest groups to identify ways to modify existing regulations to reduce the regulatory burden while maintaining progress toward health and environmental goals. The hundreds of regulatory changes EPA will make as a result of the line-by-line process run the gamut from simple clarifications to major program redirections. The largest number of changes are relatively small ones which eliminate duplications and obsolete provisions, resolve conflicting or unclear provisions, and provide better organized, easier to understand rules. These good housekeeping provisions are important, however, because they save the public and regulated community time and money, and remove potential frustrations in achieving compliance.

Many other changes will have more substantial impacts on the regulated community with very large savings in regulatory costs and reporting burden requirements. Since the details of the changes will be worked out in partnerships with these groups, it is difficult to quantify accurately the final results of these efforts. However, we are able to estimate savings for some of the major efforts, and the ones described in this highlights section alone account for estimated savings of more than \$5 billion dollars and 2 million hours in information collection burden.

The reinvention of existing regulations is only one part of EPA's effort to build a better environmental management system. Some legislative changes will be needed, and some of those changes are highlighted at the end of this section. But EPA is also applying the common sense reinvention approach in all that we do, including the development of new regulations, administrative improvements to the current system, and alternative strategies and pilot projects to develop new tools for the next century. These high priority actions were described in the President's March 16 release on "Reinventing Environmental Regulation".

As part of this broader reinvention initiative, Administrator Browner has committed EPA to several initiatives aimed at streamlining reporting and recordkeeping requirements. First, EPA will reduce by 25 percent existing monitoring, recordkeeping and reporting requirements. When completed in June 1996 this effort will save the regulated community 20 million reporting burden hours annually. Second, EPA will create a one-stop reporting system for the collection of routine emissions data which will replace the multitude of reporting forms currently required to collect data from a single facility. Third, EPA is moving forward aggressively to enable firms to report environmental data electronically rather than with hard copy. Finally, the Agency is taking steps to cut in half the reporting frequency of regularly scheduled reports, as requested in the President's April 21, 1995 memo.

Office of Water.

EPA is streamlining four of its water-related programs to reduce burdens associated with them and provide additional flexibility: National Pollutant Discharge Elimination System (NPDES) permits, national primary drinking water regulations, the pretreatment program, and water quality planning and management. Of the 93 Parts of the CFR under the responsibility of the Office of Water, 74 (80 percent) are undergoing change.

In the NPDES permits program (Part 122), EPA is removing outdated requirements, streamlining permit application and modification procedures, and reducing monitoring and reporting requirements. For example, EPA will consolidate and revise industrial and municipal permit application requirements and forms and streamline the application process. It will also revise the permit application requirements for municipal separate storm water sewer systems to reduce significantly the cost and burden of reapplication for succeeding permit terms. EPA will not require resubmission of information available from the earlier application or which is not pertinent for the approval process. These actions will result in shorter, easier to understand regulations and an *estimated savings to the regulated community of \$23 million dollars per year, and 287,000 burden hours.*

EPA is planning a major revision of the National Primary Drinking Water Regulations (Part 141) which will have a number of benefits for States and the regulated community. First, EPA will delete a number of obsolete provisions and simplify the remaining regulations to make it easier for managers of public water systems to understand and implement the requirements and for State officials to enforce. EPA will also streamline the public notification requirements to allow States more flexibility to design programs which will ensure notice to the public in a timely and effective manner. *Estimated savings to the regulated community: 1.5 million reporting burden hours annually.*

Regulations in the pretreatment program for publicly operated treatment works (Part 403) will be streamlined and revised to delete obsolete requirements, simplify program operation, and eliminate unnecessary reporting requirements. For example, under streamlined procedures only the most significant elements of an approved pretreatment program would be included in a POTW's NPDES permit, eliminating the need for a permit revision every time small changes are made to the pretreatment program. *Estimated savings to the regulated community: \$13 million and 360,000 hours annually.*

Part 130 contains the requirements for water quality planning and assessment and waterbody listing requirements for State water quality management programs. EPA will eliminate obsolete planning requirements, streamline listing requirements, and

reduce reporting from every two years to every five years. *Estimated savings to the States resulting from the reduction in reporting frequency: \$1-6 million and 39,000 hours annually.*

Air and Radiation.

EPA is committed to using flexibility granted by the Clean Air Act to enable companies, communities, and individuals to meet clean air goals using innovative approaches at lower costs. In addition to deleting more than 310 pages of unnecessary regulations, the Office of Air and Radiation is committed to nearly 200 changes in existing rules, and is changing many forthcoming rules to reflect the common sense priority of the reinvention effort.

EPA regulations implementing the provisions of the 1990 Clean Air Act requiring most facilities that emit air pollution to obtain an operating permit from State or local agencies have been criticized for having a complex and prescriptive process for revising permits. EPA has been working with stakeholders to develop a more streamlined process for permit revisions that builds on existing successful State programs. Under the proposed change, States would have greater flexibility to decide the amount of EPA and public review for most permit revisions by matching the level of review to the environmental significance of the change.

This summer EPA will propose changes to simplify and streamline the New Source Review program, which requires newly built facilities or those undergoing major modification to obtain a permit to ensure that emissions will not cause or contribute to air pollution problems. The changes will provide industry with more certainty and flexibility in complying with EPA's regulations and promote the use of technically superior and innovative pollution control technologies while maintaining or improving air quality. This streamlining and flexibility will help industry's ability to compete in today's fast-moving global marketplace.

Working with States and other stakeholders, EPA is taking steps to provide states with more flexibility in developing enhanced vehicle inspection and maintenance programs. EPA has begun work on a revised rule which will offer more enhanced inspection and maintenance options, including a test and repair option, for States wanting more flexibility. In addition, EPA is delaying implementation of the waiver provisions until 1998. The Administrator recently sent letters to governors and state legislative leaders announcing the new flexibility.

EPA is also simplifying the air toxics modification provisions (Section 112(g)), which require any source which makes a significant change to a facility before EPA issues an applicable air toxic rule to put stringent controls on the modification.

States and industry expressed a number of concerns about the section 112(g) rule which EPA proposed in March 1994. EPA plans several changes to the proposed rule to simplify implementation. For example, EPA plans to make available to industry and States the information it is using to develop air toxics standards, reducing the burden on those groups in making case-by-case determinations. The innovative use of Maximum Achievable Control Technology (MACT) partnerships and streamlining will result in *estimated savings to the regulated community of \$6-7 million annually compared to original estimates of implementation.*

EPA is also applying common sense principles to Clean Air Act rules under development and not yet in the CFR. For example, in response to issues raised by industry and States about the proposed enhanced monitoring regulation, EPA is reconsidering the proposed rule and has committed to take a fresh look at ways to design a simpler, more flexible approach. EPA's new approach will build on requirements of existing rules to ensure that the environmental results expected are being achieved. Instead of requiring more expensive monitoring or monitoring protocols, this approach would focus on ensuring that sources are properly operating and maintaining their pollution control equipment in accordance with their pollution control requirements. *Estimated savings potential for industry compared to the proposed rule is \$1 to 3 billion over the first two years.*

The current ozone control program has focused on a combination of technology-based mandatory measures and State plans that have historically discouraged flexible emissions trading programs. But emissions trading can reduce pollutant emissions by applying pollutant reduction measures at the places where reductions are the most cost effective. A facility can avoid costly compliance measures by reducing emissions at points where it is most cost effective to do so. EPA has already issued regulations and guidance to encourage development of economic incentive programs, helped develop an emissions trading market in Southern California, and sponsored demonstration projects. EPA is now developing a proposed generic trading rule for ozone-creating pollutants that will provide far more flexibility than ever before for companies to trade emission credits without prior state or federal approval. *Estimated savings potential is up to \$1 billion annually (about 10 percent of the cost of addressing nonattainment).*

Prevention, Pesticides, and Toxic Substances.

After conducting a comprehensive review of its regulations, this office will be amending or deleting 49 of 56 Parts (88 percent), and sections not requiring changes account for only 71 pages out of a total of 2,040 pages. Major changes identified to date will result in an estimated cost savings of more than \$4.2 billion and a reporting burden reduction of more than 250,000 hours.

Reinventing the PCB Disposal Regulations is a top priority for this program. The first comprehensive review of this 16 year old program resulted in the proposal of significant streamlining provisions in December 1994. The proposal provides for self-implementation of cleanups and greater flexibility for disposal of PCBs. Active stakeholder involvement has occurred throughout rule development. The final rule is expected in the summer of 1996. *Estimated cost savings from these amendments is \$4 billion a year for 20 years.*

EPA recently issued significant burden reducing amendments to the polymer and low volume exemptions for premanufacture notifications under section 5 of Toxic Substances Control Act (TSCA). The polymer exemption now excludes from reporting many low risk polymeric substances. The low volume exemption raises the annual production ceiling to 10,000 kilograms, significantly expediting the regulatory process. The new low release/ exposure ("LoREX") exemption-- for substances with low environmental releases and low human exposures--will provide a strong pollution prevention incentive for chemical manufacturers. Potential reduction in PMNs is expected to be around 34% for the polymer exemption and around 27% for the low volume exemption. *Estimated cost savings to industry of these amendments is \$5.3 million to \$24 million per year and a reduced reporting and recordkeeping burden of 57,000 hours.*

There are currently two separate Good Laboratory Standard Regulations, one for pesticides under FIFRA and another for chemical substances under TSCA. EPA will be consolidating these regulations to streamline the requirements and reduce reporting and recordkeeping burdens for the regulated community. In addition to savings from elimination of duplication, EPA expects to find more savings through a process of consulting closely with industry and public interest groups.

EPA is considering several amendments related to the Toxic Release Inventory (TRI) which will reduce the reporting burden. Since the beginning of TRI, EPA has deleted or modified 16 chemical listings, including several which were completed this year. Actions have been taken recently on copper pigments and butyl benzyl phthalate. Additional actions are expected before the end of the year for sulfuric acid, hydrochloric acid, acetone, and ethylene glycol. EPA also intends to complete a hazard assessment for all those chemicals on the original TRI list that was provided by Congress, deleting those that do not meet the TRI listing criteria. In addition, there are several technical amendments under development. These include the revision of the Form R Guidance and Instructions and a redesign of the form. Together these amendments are expected to reduce the overall TRI reporting burden by around 8%, with the simplification and streamlining amendments associated with Form R possibly reducing the burden further.

Solid Waste and Emergency Response

Stakeholder consultations have been and will continue to be a key element in this program's regulatory review. These consultations have assisted the Agency in identifying numerous opportunities to revise rules to make them clearer, less redundant, and more flexible. The Agency intends to respond aggressively to stakeholder comments. Several Agency projects in waste programs have the potential to reduce information collection burdens by millions of hours annually, while maintaining the protection of human health and the environment.

Specifically, the Agency intends to reengineer over a period of years the complete Resource Conservation and Recovery Act (RCRA) regulatory framework to make the regulations more understandable, and wherever feasible, (1) eliminate redundancy with other statutes and other regulations; (2) move towards performance-based standards, and (3) foster self-implementation rather than prior approval.

To that end, the Agency is examining existing data needs and evaluating the utility of current information collections under its Waste Information Needs (WIN) Initiative. The WIN initiative will identify duplicative information collections and suggest ways to eliminate or consolidate redundant collections. The Agency is also examining the possibility of using electronic transfer of hazardous waste shipment information in lieu of paper manifest forms. Elimination of this requirement alone could result in a burden reduction of millions of hours annually.

EPA also plans to redefine solid waste under RCRA which will resolve jurisdictional issues over secondary materials, simplify the regulatory framework to make it easier for both regulators and the regulated community to understand whether they are subject to RCRA, and eliminate current disincentives to the safe recycling of hazardous waste.

In addition, the Agency plans to resolve problems with the current RCRA corrective action program through the Hazardous Waste Identification Rule (HWIR) for contaminated media by removing large volumes of cleanup wastes from RCRA Subtitle C regulations altogether, and by creating a more common-sense regulatory structure for those hazardous cleanup wastes that remain regulated under Subtitle C.

EPA intends to resolve problems associated with the "mixture and derived from" rules under RCRA. These regulations currently classify as hazardous secondary materials with very low concentrations of hazardous constituents if these materials are derived from the treatment of a listed hazardous waste.

The Agency will also streamline the RCRA permit process by examining and ultimately implementing a range of options from self-implementing permits and general

facility permits to more timely RCRA treatment, storage and disposal permits.

The Agency's Underground Storage Tank (UST) Program is committed to evaluate ways to modify the state approval process so that roadblocks to the approval of state programs are removed. In addition, the Agency, together with its stakeholders, is interested in exploring options for approving Native American Tribes to administer the UST program in lieu of the Federal program. These initiatives will help empower States and Tribes to operate programs that are tailored to their own environmental needs.

The Agency's Superfund program has identified and intends to move forward with three initiatives that have the potential to reduce information collection burdens by approximately 400,000 hours annually.

In particular, the Agency is proposing to streamline the Superfund Technical Assistance Grants (TAGs) program, which allows the Agency to give up to \$50,000 to citizens' groups representing populations affected by Superfund sites in their communities. Specifically, the Agency will streamline the grant forms to simplify the grant application process and reduce reporting burdens.

The Agency is also committed to simplifying and streamlining State and Local Government Reimbursement forms, which will allow the Agency to reimburse State and local governments more rapidly for emergency actions taken to respond to releases of hazardous substances into the environment.

In addition to these efforts to reduce information collection burdens significantly, other regulatory changes to the Superfund program may result from the enactment of new Superfund legislation later this year. While awaiting Congressional action on a new law, however, EPA is aggressively implementing the Superfund administrative reforms that Administrator Browner announced in February of this year. These reforms are designed to improve the pace, cost, and fairness of the cleanup program while expanding the involvement of states, tribes, and local communities. The six areas of reform focus on enforcement fairness, economic redevelopment, community involvement and outreach, environmental justice, consistent program implementation, and state empowerment. These reforms go a long way toward achieving the Agency's goals of a faster, fairer, and more efficient Superfund.

The Agency's Oil Program also presents several regulatory reform opportunities. The Agency commits not only to evaluate options for streamlining oil contingency plan requirements to reduce reporting burden especially for small facilities, but also to consider reducing spill contingency and countermeasures plan requirements for facilities located in States with Federally equivalent requirements.

With regard to chemical emergency preparedness, the Agency has several initiatives planned in response to broad and extensive stakeholder involvement by State and local governments, industry, environmental groups, citizen and community groups. Specifically, the Agency intends to raise the release reporting levels for over 200 chemicals under section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA).

In addition, the Agency plans to provide State Emergency Response Commissions with greater flexibility to determine what information needs to be submitted by reporting facilities; and provide facilities with greater flexibility for submitting Material Safety Data Sheets (MSDSs) under section 311 of EPCRA.

Finally, the Agency has investigated the redundancies associated with the contingency planning requirements of various environmental regulatory programs. An interagency workgroup has been formed to draft "one plan" guidance by this Summer. The goal of this effort is to develop a consolidated common sense approach to implementing multiple contingency requirements under multiple statutes and across government agencies.

Legislative Changes Needed

In addition to the major regulation reform activities identified above, the Agency has identified a number of legislative changes which, if adopted by Congress, could provide for significant burden relief for the regulated community and economic benefit to the nation.

Although the Agency is aggressively implementing Superfund administrative reforms, much more could be done if Congress would act on a new Superfund law. If the Administration's bill had passed last year, common sense reforms would have provided regulatory relief and ensured that the Superfund program was implemented in a smarter, cleaner, cheaper way. For example, the Administration's bill contained provisions which would have reduced the cost of Superfund cleanups by 25% by eliminating the preference for permanence, narrowing the treatment requirement to "hot spots," eliminating "relevant and appropriate requirements" in ARARs, and ensuring future land use was a part of cleanup decisions.

The Administration's bill would also enhance the role that States play in Superfund and eliminates state-federal overlap in authority. The proposed Act would provide federal cleanup funds for referred sites and authorized programs through a cooperative agreement with the State. These proposals would:

- o Reduce overlapping authority and responsibility by establishing the principle that only one governmental entity would have responsibility for

each site. This would reduce the cost and duration of cleanups.

- o Enhance efficiency of the program by bringing more authority to the states who are closer to the problem and usually are first to identify the need for action.
- o Provide federal cleanup funds to the States as they assume more responsibility.

EPA proposed the Performance Partnership Grants Act for introduction this year in Congress. This legislation would authorize the EPA Administrator to allow States and Indian Tribes to consolidate funds for numerous existing media-specific or multimedia grants into one or more Performance Partnership grants.

Specifically, the Performance Partnership Grant legislation would enable States and Indian Tribes to:

- o Shift resources as needed, to address efficiently and effectively environmental priorities for the State or Tribe.
- o Consolidate planning, monitoring and inspection activities.
- o Reduce administrative requirements by permitting a single grant application and work plan, combined State match and maintenance of effort requirements, combined reporting requirements and simplified accounting.

Passage of this legislation would enable EPA to provide a more rational and effective State and tribal grant program and would lead to a reinvention of the current regulations at 40 CFR Part 35, Subpart A.

One of the major initiatives of the President's "Reinventing Environmental Regulation" plan called for the Agency to begin this Spring a multi-stakeholder process to identify a legislative package of "rifle shot" reforms to fix provisions of the Resource Conservation and Recovery Act (RCRA) that currently result in high costs and marginal environmental benefit. For example, the Agency has identified RCRA land disposal restrictions as a potential "rifle shot" reform. The land disposal restrictions prevent the disposal of hazardous waste on the land until levels of treatment are met which ensure that short-term and long-term threats to human health and the environment are minimized. For some wastes, legislative requirements lead to costly treatment of the waste's hazardous constituents to levels below those which the Agency considers necessary to protect human health and the environment.

In addition to EPA's many regulatory reforms in areas related to the Clean Water Act, much more could be accomplished if Congress would act on Agency recommendations. The Administration proposed an aggressive package of Clean Water Act Reforms to the 103rd Congress to accelerate the nation's progress towards clean water goals while saving businesses and taxpayers billions of dollars annually when compared to existing statutory mandates. For example, the Agency recommended a more targeted approach to stormwater management and more flexibility to communities with combined sewer overflows. If these statutory changes are implemented, savings to businesses alone could be more than \$15 billion.

The Agency also recommended other provisions designed to provide increased flexibility and efficiencies, including: (1) continued funding for the State Revolving Loan Fund and expanded use of the funds so communities could finance a broader array of activities to protect water quality; (2) allowing States to establish new management frameworks that focus resources on the most critical problems in priority watersheds to achieve and maintain water quality standards; (3) consolidating most multiple water grant authorities into a single multi-purpose water grant; and (4) allowing pollutant trading within a watershed to achieve cost-effective attainment of water quality standards.

The Agency's regulatory reinvention activities under the Safe Drinking Water Act will result in a better focused, more cost effective national drinking water safety program. However, some important reforms can be achieved only through statutory changes. The Administration continues to strongly support balanced reforms of the Safe Drinking Water Act, including preventive approaches that will reduce the long term cost of ensuring drinking water safety. For example, experience shows that the cost of testing to verify drinking water safety could be reduced by 50-90 percent in many States through statutory changes that encourage site-specific tailoring of monitoring requirements. The State Revolving Fund, a State operated, federally supported low-interest loan program, would help many communities invest in treatment systems necessary to ensure drinking water safety. The Administration also supports statutory changes that would encourage the use of lower-cost small system technologies to achieve compliance with safety standards.

While EPA is not proposing major changes to the Toxic Substances Control Act, the Agency did identify some areas where opportunities for reinvention may be restricted by current statutory provisions. For example, a legislative amendment could provide additional flexibility and cost savings in the rules that trigger notification and reporting under TSCA Section 12 (b) Export Requirements. Although EPA will be working with stakeholders to identify ways to reduce reporting and recordkeeping burdens under the Records and Reporting on Adverse Reactions regulation, legislative changes are needed to provide additional flexibility.

ENVIRONMENTAL PROTECTION AGENCY

TABLES

OFFICE OF WATER

**OFFICE OF WATER
REVIEW OF TITLE 40
CODE OF FEDERAL REGULATIONS**

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
35- C;D; E;H; I;J; K;P; Q;	<u>SUBCHAPTER B - GRANTS AND OTHER FEDERAL ASSISTANCE</u> Grants for Construction of Wastewater Treatment Works; Reimbursement Grants; Grants for Con- struction of Treatment- Clean Water Act; Grants for Construction of Treat- ment Works; Cooperative Agreements for Protecting and Restoring Publicly Owned Fresh Water Lakes; Construction Grants Pro- gram Delegation to States; State Water Pollution Con- trol Revolving Funds; Financial Assistance for the National Estuary Pro- gram; and General Assis- tance Grants to Indian Tribes (pgs. 467-635 & 678-683; 173 pgs.)	Delete	This action would delete Subparts C and D, which include requirements regarding Grants for the Construction of Treatment Works and Reimbursement Grants.	This action would remove obsolete provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
	<u>SUBCHAPTER D-WATER PROGRAMS</u>				
121	State Certification of Activities Requiring a Federal License or Permit (pgs. 113-117; 4 pgs.)	Modify	Consolidate NPDES Program definitions in Parts 121, 122, 123, 124, and 125 in one place and reference location of definitions in other Parts.	This action would eliminate unnec- essary and redun- dant provisions.	NPRM 12/95 Final 6/96
122	EPA Administered Permit Programs: NPDES-CWA Sec. 318, 402 & 405 (pgs. 117- 195; 78 pgs.)	Modify	Revise 122.21(f) to incorporate elements of 122.1(d) which requires applicants for EPA-issued permits to use EPA application forms and delete part 122.1(d).	This action would consolidate requirements in one place.	NPRM 12/95 Final 6/96
122	Continued...	Delete	Delete 122.1(g) which merely restates specific Clean Water Act statutory provisions being imple- mented in Part 122.	This action would remove super- fluous language from the CFR.	Final 6/95
122	Continued...	Modify	Revise 122.4(i) to relieve new sources/ dischargers of the obligation to demonstrate that water quality standards would not be violated if the permit issuing authority already has that information.	This action would reduce regulatory burden on permittees.	NPRM 12/95 Final 6/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
122	Continued...	Delete	Delete non-POTW variance request provision in 122.21(m)(3) since Clean Water Act section 301(i) is no longer applicable.	This action would remove an obsolete provision.	Final 6/95
122	Continued...	Delete	Delete 122.21(m)(4) which cross references Clean Water Act section 301(k) which is no longer applicable.	This action would remove an obsolete provision.	Final 6/95
122	Continued...	Delete	Delete POTW variance request provision in 122.21(n)(2) since Clean Water Act section 301(i) is no longer applicable.	This action would remove an obsolete provision.	Final 6/95
122	Continued...	Delete	Delete group application requirements for Phase I storm water discharges associated with industrial activity found in 122.26(c)(2).	This action would remove an obsolete provision since existing Phase I sources should either already have sought permit coverage or be waiting for EPA's Multi-Sector General Permit.	NPRM 5/96 Final 6/97

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
122	Continued...	Modify	Revise Municipal Separate Storm Sewer System application requirements in 122.26(d) to reflect the lessons learned in the first round of permitting.	This action would streamline re-application requirements and reduce related monitoring and reporting requirements.	NPRM 5/96 Final 6/97
122	Continued...	Modify	Revise regulations (or issue policy) to change existing Agency interpretation of 122.44(a) to allow the removal of permit limits for any guideline-listed pollutant if pollutant is not present in treated effluent.	This action would reduce monitoring and reporting burdens.	NPRM 12/95 Final 6/96
122	Continued...	Delete	Delete provisions for permit reopener clauses found in 122.44(c)(1) and (3) since they only apply to permits issued before 6/1/84.	This action would remove obsolete provisions.	NPRM 12/95 Final 6/96
122	Continued...	Modify	Revise 122.41(j)(4) to incorporate monitoring requirements found at 122.44(i)(1)(iv) since both provisions are almost identical and delete 122.44(i)(1)(iv).	This action would eliminate redundant provisions.	NPRM 12/95 Final 6/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
122	Continued...	Study (Likely to need change in the law.)	Review permit anti-back-sliding requirements in 122.44(1) and statutory requirements in Clean Water Act sections 402(o) and 303(d)(4) for streamlining opportunities; this action would likely require changes in the law.	This action could simplify procedures.	No target date; would need change in the law.
122	Continued...	Delete	Delete the provision in 122.46(d) related to the duration of permits.	This action would remove an obsolete provision.	Final 6/95
122	Continued...	Issue Imple- menting Policy/ Guidance	Study approaches for reducing the current level of NPDES monitoring, reporting and record keeping and <u>issue implementing policy/guidance</u> for 122.48, to reduce the frequency of compliance monitoring and related record-keeping and reporting in specific situations.	This action would reduce permittee monitoring and reporting burdens.	Draft 12/95 Final 6/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
122	Continued...	Study (Likely to need change in the law.)	Examine NPDES Program in light of National Historic Preservation Act (NHPA) consultation requirements and consider whether to revise NPDES consultation procedures or recommend Clean Water Act amendments to modify the applicability of NHPA requirements to the NPDES Program. This action would likely require a change in the law.	This action could potentially result in a substantial reduction in burden on both EPA and the regulated community.	No target date; likely to need change in the law.
122	Continued...	Study (Likely to need change in the law.)	Examine NPDES Program in light of Endangered Species Act (ESA) consultation requirements and consider whether to revise NPDES consultation procedures or recommend Clean Water Act amendments to modify the applicability of ESA requirements to the NPDES Program. This action would likely require a change in the law.	This action could potentially result in a substantial reduction in burden on both EPA and the regulated community.	No target date; likely to need change in the law.

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
122	Continued...	Modify	Revise and consolidate existing industrial facility permit application forms and requirements, streamline the application process by allowing the use of existing data and avoiding unnecessary reporting, and examine electronic data submission.	This action should minimize the need for repeated requests for additional information and reduce reporting burdens, particularly for small entities.	NPRM 1/96 Final 1/98
122	Continued	Modify	Revise and consolidate existing municipal facility permit application forms and requirements, streamline the application process by allowing the use of existing data and avoiding unnecessary reporting, and examine electronic data submission.	This action should minimize the need for repeated requests for additional information and reduce reporting burdens, particularly for small entities.	NPRM 9/95 Final 6/97
122	Continued...	Delete	Remove provision in 122.62(a)(14) for permit modifications.	This action would remove an obsolete provision.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
122	Continued...	Delete	Remove provision in 122.62(a)(17) which allows modification of permits effective on or after 3/13/82, if the modification is applied for no later than 1/24/85.	This action would remove an obsolete provision.	Final 6/95
122	Continued...	Modify	Revise permit minor modification provisions in 122.63 to add permit revisions that could be considered "minor" and therefore not subject to public notice requirements.	This action would provide increased flexibility for EPA, States, and permittees and would reduce the cost of some permit revisions.	NPRM 12/95 Final 6/96
122	Continued...	Delete	Delete permit minor modification provision in 122.63(f) since it applied only to permits issued between 3/3/82 and 9/26/84.	This action would remove an obsolete provision.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
122	Continued...	Modify	Revise 122.64 to allow NPDES Program Directors to terminate a permit without having to follow Part 124 Decisionmaking Procedures if the permittee has permanently terminated its entire discharge by elimination of its process flow.	This action would provide increased flexibility for EPA, States, and permittees and would reduce the reporting burden for some permittees.	NPRM 12/95 Final 6/96
123	State Program Requirements -CWA Sec. 318, 402 & 405 (pgs. 195-220; 25 pgs.)	Delete	Delete 123.43(b) which requires States to transmit copies of all draft or proposed general permits except those for separate storm sewers to the Director, Office of Water Enforcement and Permits at the same time copies are sent to the Regional Administrator.	This action would eliminate redundant reporting requirements.	Final 6/95
124	Procedures for Decision-Making-NPDES/UIC/RCRA/UIC & PSD (pgs. 220-273; 53 pgs.)	Modify	Revise 124.57 and 124.60 and Subpart E to clarify and streamline evidentiary hearing procedures for EPA-issued or terminated NPDES permits.	This action would clarify and streamline evidentiary hearing procedures.	NPRM 6/96 Final 12/97

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
124	Continued...	Delete	Delete 124.57(b) and Subpart F Non-Adversary Panel Hearings since such hearings do not appear to have ever been used.	This action would streamline the CFR.	NPRM 12/95 Final 6/96
124	Continued...	Delete	Delete 124.58 which requires the Regional Administrator to send copies of all draft general permits except those for separate storm sewers and their administrative records to the Deputy Assistant Administrator for Water Enforcement for concurrence.	This action would streamline the permitting process.	Final 6/95
124	Continued...	Delete	Delete Appendix A, Guide to Decisionmaking Under Part 124, since it is confusing and could be better replaced by guidance.	This action would streamline the CFR.	NPRM 12/95 Final 6/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
125	Criteria & Standards for NPDES-CWA Sec. 301(b), 301(c), 301(g), 301(h), 301(i), 301(k), 304(e), 316(a), 316(b), 318, 402, & 405 (pgs. 274-310; 36 pgs.)	Delete	Delete Subpart C and J provisions related to the extension of compliance dates for facilities installing innovative technology since variances under sections 301(i) and 301(k) of the Clean Water Act are no longer in effect.	This action would remove an obsolete provision.	Final 6/95
130	Water Quality Planning & Management-CWA Sec. 106, 205(g), 205(j), 208, 303 & 305 (pgs. 321-335; 14 pgs.)	Modify	Eliminate obsolete section 208 planning requirements, consolidate listing requirements, and simplify reporting requirements by implementing a 5-year reporting cycle instead of the current 2-year cycle.	This action would reduce State reporting and compliance costs.	NPRM 2/97 Final 12/97

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
131	Water Quality Standards- CWA Section 303(c) (pgs. 336-369; 3 pgs.)	Modify	Revise Subparts A-C (i.e., General Provi- sions, Establishment of Water Quality Standards (WQS), and Procedures for Review and Revision of WQS) to increase State flexibility and improve the Water Quality Stan- dards Program's ability to support a watershed/ place-based environmental management approach.	This action would result in a more efficient program and increased flexibility for the States.	ANPRM 1/96 NPRM 12/96 Final 12/97
131	Continued...	Delete	Delete 131.35 water quality standards (WQS) for the Colville Indian Reservation in the State of Washington when the Tribe, which is currently considering applying for authority to administer the WQS Program, submits approved Tribal WQS (after early 1996).	This action would delete obsolete requirements.	6 mos. after Tribe adopts WQS

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
131	Continued...	Modify	Revise 131.36 toxics criteria for metals established by EPA for States not complying with Clean Water Act section 303(c)(2)(B) to express the criteria as "dissolved" metals instead of "total recoverable" metals.	This action would make the State standards consistent with more recent Agency policy regarding metals criteria and would reduce the cost of compliance with standards.	Interim Final 4/95 Final 12/96
131	Continued...	Delete	Delete 131.37 water quality standards (WQS) for surface waters of the Sacramento and San Joaquin Rivers and San Francisco Bay and Delta as soon as California adopts State standards which are approved by EPA; California is expected to adopt the required standards by 12/95.	This action would delete obsolete requirements.	6 mos. after Calif. adopts WQS

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
136	Guidelines Establishing Test Procedures for the Analysis of Pollutants (pgs. 377-655; 78 pgs.)	Study	Examine the possibility of removing all analytic methods from the CFR and incorporating them in the regulations by reference and making them available to States, labs, and others through means other than the CFR.	This action would significantly reduce the number of pages in the CFR; other distribution methods are expected to be well received by those who use the methods.	No target date; need Fed. Regis. Office agreement.
140	Marine Sanitation Device Standard-CWA Sec. 312 (pgs. 655-658; 3 pgs.)	Modify	Revise to update requirements promulgated in 1976 to reflect subsequent revisions to the Clean Water Act and Coast Guard regulations and to eliminate obsolete requirements; revisions to include clarification of application requirements for States wanting to establish no discharge zones for marine vessels in areas designated for drinking water intakes; 140.3(a)(2), 140.3(b)-(e), 140(3)(h), and 140.4(b) may be affected.	This action would make the regulations easier for States, municipalities, other Federal Agencies and the general public to understand and use.	NPRM 9/95 Final 3/96
140	Continued...	Delete	Delete 140.3(h) since all effective dates have passed.	This action would delete an obsolete provision.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
141	National Primary Drinking Water Regulations-SDWA (pgs. 658-794; 136 pgs.)	Modify	Reorganize/reformat the entire Part to make it easier for public water systems to understand and comply with and for State officials to enforce.	This action would not change any of the requirements but would make them easier to understand and is expected to re- duce the number of pages in the CFR.	NPRM 3/96 Final 6/97
141	Continued...	Delete	Revise 141.11(b) to delete everything except arsenic.	This action would delete obsolete requirements.	Final 6/95
141	Continued...	Modify	Revise 141.24 to raise the contaminant level which requires increased/ repeat synthetic organic chemical monitoring.	This action would reduce monitoring and reporting requirements.	NPRM 9/95 Final 9/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
141	Continued...	Modify (Would need change in the law to maximize stream- lining.)	Comprehensive review of 141.23-25, 141.31, 141.33, 141.35, and 141.40-41 monitoring and related record keeping and reporting require- ments to identify oppor- tunities for reducing the monitoring and reporting burden associated with both regulated and unreg- ulated contaminants; revisions to the Safe Drinking Water Act would be needed to maximize streamlining.	This action would identify oppor- tunities for re- ducing monitor- ing, reporting, and record keep- ing requirements.	NPRM 12/96 Final 12/98

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
141	Continued...	Modify (Would need change in the law to maximize stream- lining.)	Revise 141.32 public notification requirements for systems which do not comply with drinking water standards to consolidate/simplify these requirements to make them more performance-based and to allow States flexibility to design public notice programs that would permit systems to deliver notice using methods most likely to reach the affected public in a timely and effective manner; revisions to the Safe Drinking Water Act would be needed to maximize streamlining.	This action could provide States flexibility to design more effective public notification programs, improve risk communication, reduce program implementation costs, and increase program compliance.	NPRM 12/96 Final 12/98
141	Continued...	Delete	Delete 141.23(a)(4)(i) (Table) MCL for nickel, 141.32(e)(56) public notice language for nickel, 141.51(b) MCLG for nickel, and 141.62(b)(14) MCL for nickel.	This action would delete obsolete requirements in response to the Court which vacated the requirements and remanded them to the Agency.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
141	Continued...	Delete	Delete 141.34 special public notice requirements pertaining to lead.	This action would streamline reporting requirements.	Final 6/95
141	Continued...	Modify	Revise 141.62 key to the Table of Best Available Technologies for Inorganic Compounds to revise #10 "Chlorine" to read "Alkaline Chlorination pH \geq 8.5."	This action would correct an existing error in the CFR.	NPRM 8/96 Final 8/98
142	National Primary Drinking Water Regulations Implementation-SDWA (pgs. 794-835; 41 pgs.)	Delete	Delete 142.30 procedures for Federal enforcement since it merely repeats the Safe Drinking Water Act section 1414 requirements.	This action would remove superfluous language from the CFR.	NPRM 12/96 Final 12/98
142	Continued...	Modify	Revise 142.62 key to the Table of Best Available Technologies for Inorganic Compounds to revise #10 "Chlorine" to read "Alkaline Chlorination pH \geq 8.5."	This action would correct an existing error in the CFR.	NPRM 8/96 Final 8/98
144	Underground Injection Control Program-SDWA (pgs. 839-895; 56 pgs.)	Delete	Delete historical deadlines, Class V assessment, and Class IV plugging plan requirements in 144.15 and 144.23(b)(2).	This action would remove obsolete requirements.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
146	Underground Injection Control Program: Criteria & Standards-SDWA (pgs. 907-938; 31 pgs.)	Delete	Delete the requirements in 146.52 related to the UIC Class V inventory and assessment.	This action would remove obsolete requirements.	Final 6/95
148	Hazardous Waste Injection Restrictions-SDWA (pgs. 1035-1044; 9 pgs.)	Delete	Delete temporary exception to the hazardous waste deadline in 148.1(c)(4).	This action would delete an obsolete provision.	Final 6/95
149	Sole Source Aquifers-SDWA (pgs. 1044-1048; 4 pgs.)	Study (Would need change in the law.)	Examine possibility of deleting criteria for identifying critical aquifer protection areas in Subpart A since the demonstration program for which they were developed was never funded and guidance for the voluntary Sole Source Aquifer Program includes most of them; revisions to the Safe Drinking Water Act would be needed.	This action could help prevent confusion related to the funding provisions described in this Part.	No target date; would need change in the law.

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
149	Continued...	Study	Examine possibility of deleting Subpart B provisions for the review of Federally-assisted projects in the Edwards Aquifer area since the 64 other designated sole source aquifer areas did not require similar regulations and the provisions are included in 12/89 Guidelines for the Regions.	This action could reduce the length of the CFR.	NPRM 12/95 Final 3/96
225	<u>SUBCHAPTER H-OCEAN DUMPING</u> COE Dredged Material Permits-MPRSA (pgs. 167-168; 1 pg.)	Modify	Revise to reflect statutory amendments, clarify environmental effects criteria to be used in evaluating permit requests (including specifying standards for waiving criteria and defining appropriate methods for isolating contaminated sediments from the marine environment), conform provisions for the ocean dumping of dredged material in Parts 225 and 227, and clarify and streamline requirements.	This action would streamline requirements and resolve issues that have previously delayed permit issuance.	NPRM 12/95 Final 12/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
227	Criteria for the Evaluation of Permit Applications for Ocean Dumping of Materials-MPRSA (pgs. 168-181; 13 pgs.)	Modify	Revise to address statutory changes and up-date to conform to Part 225.	This action would clarify expectations regarding requirements resulting from statutory changes.	NPRM 12/95 Final 12/96
228	Criteria for the Management of Disposal Sites for Ocean Dumping-MPRSA (pgs. 181-202; 21 pgs.)	Modify	Revise to address statutory changes, provide criteria for the designation and management of sites used for the dumping of dredged material, streamline criteria for site monitoring and the development of site management and surveillance plans, and address Court decision challenging the use of different criteria for dredged and non-dredge material.	This action would clarify and streamline criteria and streamline information collection and application requirements, thereby reducing associated paperwork burdens and site assessment costs.	NPRM 12/95 Final 12/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
403	<u>SUBCHAPTER N-EFFLUENT GUIDELINES & STANDARDS</u> General Pretreatment Regs for Existing & New Sources of Pollution-CWA (pgs. 8- 54; 46 pgs.)	Delete	Delete 403.1(c) compli- ance deadlines for sub- mittals related to vari- ous pretreatment cate- gories; 403.5(f) pre- treatment standards com- pliance deadlines; 403.8 (f)(1)(vi)(A) penalty authority compliance deadline; 403.10(b)/(d) program ap-proval compli- ance deadlines; 403.12(b) report substitution re- quirement; 403.13(g)(2) (i) FDF application sub- mittal deadline; Appendix B list of 65 priority pollutants also contained in 401.15; Appendix C list of industrial categories subject to pretreatment standards.	This action would remove obsolete and redundant provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
403	Continued...	Modify	Revise 403.18 procedures for developing and maintaining approved publicly owned treatment works (POTW) pretreatment programs to streamline requirements for elements of the program included in NPDES permits, eliminate the need for permit revision every time insignificant revisions are made to a POTW's program, and reduce the number of changes to POTW programs that require EPA or State approval.	This action would streamline existing requirements, reduce State and EPA backlogs of pretreatment program changes needing approval, and reduce paperwork and reporting.	NPRM 9/95 Final 9/96
403	Continued...	Modify	Revise general pretreatment requirements to eliminate unnecessary requirements, possibly allow implementation of the program directly through the publicly owned treatment works NPDES permit, and provide exclusions or variable requirements for numerous small facilities that contribute insignificant amounts of pollution.	This action would simplify program implementation, improve program efficiencies, and eliminate duplicative reporting requirements.	NPRM 3/96 Final 3/98

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
405-471	These Parts contain the Effluent Guidelines for 51 industries (pgs. 54-716 & 5-670; 1,327 pgs.)	Modify	Make clarifying revisions (e.g., standardize table headings, definitions, etc.,) and restructure guidelines, through the increased use of tables; <u>all of the effluent guidelines for the Parts and industrial categories listed below will be included in the restructuring.</u>	This action would not change any requirements but would significantly reduce the number of CFR pages and make the guidelines easier to read and understand.	NPRM 5/96 Final 11/96
405	Dairy Products Processing Point Source Category-CWA (pgs. 54-83; 29 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
406	Grain Mills Point Source Category-CWA (pgs. 83-103; 20 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
407	Canned & Preserved Fruits & Vegetables Processing Point Source Category-CWA (pgs. 103-125; 22 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
408	Canned & Preserved Seafood Processing Point Source Category-CWA (pgs. 125-196; 71 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
409	Sugar Processing Point Source Category-CWA (pgs. 196-210; 14 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
410	Textile Mills Point Source Category-CWA (pgs. 210-227; 17 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
411	Cement Manufacturing Point Source Category-CWA (pgs. 228-234; 6 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
412	Feedlots Point Source Category-CWA (pgs. 234-239; 5 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
413	Electroplating Point Source Category-CWA (pgs. 239-254; 15 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
414	Organic Chemicals, Plastics & Synthetic Fibers-CWA (pgs. 254-277; 23 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CRF pages.	NPRM 5/96 Final 11/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
415	Inorganic Chemicals Manufacturing Point Source Category-CWA (pgs. 277-335; 58 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
417	Soap & Detergent Manufacturing Point Source Category-CWA (pgs. 335-383; 48 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
418	Fertilizer Manufacturing Point Source Category-CWA (pgs. 383-401; 18 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
419	Petroleum Refining Point Source Category-CWA (pgs. 401-436; 35 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
420	Iron & Steel Manufacturing Point Source Category-CWA (pgs. 437-499; 62 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
421	Nonferrous Metals Manufacturing Point Source Category-CWA (pgs. 499-685; 86 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
422	Phosphate Manufacturing Point Source Category-CWA (pgs. 685-694; 9 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
423	Steam Electric Power Generating Point Source Category-CWA (pgs. 694-703; 9 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
424	Ferroalloy Manufacturing Point Source Category-CWA (pgs. 703-716; 13 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
425	Leather Tanning & Finishing Point Source Category-CWA (pgs. 5-26; 21 pgs.)	Modify	Revise to provide local POTWs the authority to decide the most appropriate pH limits for specific facilities discharging to their systems; and restructure as described above.	This action would provide increased flexibility for decision making at the local level and could reduce industry compliance costs.	NPRM 9/95 Final 5/96
426	Glass Manufacturing Point Source Category-CWA (pgs. 26-53; 27 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
427	Asbestos Manufacturing Point Source Category-CWA (pgs. 53-72; 19 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
428	Rubber Manufacturing Point Source Category-CWA (pgs. 72-100; 28 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
429	Timber Products Processing Point Source Category-CWA (pgs. 100-117; 17 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
430	Pulp, Paper & Paperboard Point Source Category-CWA (pgs. 117-199; 82 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
431	Builders' Paper & Board Mills Point Source Category-CWA (pgs. 199-202; 3 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
432	Meat Products Point Source Category-CWA (pgs. 202-232; 30 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
433	Metal Finishing Point Source Category-CWA (pgs. 232-237; 5 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
434	Coal Mining Point Source Category-CWA (pgs. 237-248; 11 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
435	Oil & Gas Extraction Point Source Category-CWA (pgs. 249-265; 16 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
436	Mineral Mining & Processing Point Source Category-CWA (pgs. 265-288; 23 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures and restructure as described above.	This action would delete redundant provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
439	Pharmaceutical Manufacturing Point Source Category-CWA (pgs. 289-307; 18 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
440	Ore Mining & Dressing Point Source Category-CWA (pgs. 307-332; 25 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
443	Paving & Roofing Materials (Tars & Asphalt) Point Source Category-CWA (pgs. 332-339; 7 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
446	Paint Formulating Point Source Category-CWA (pgs. 339-341; 2 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance procedures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
447	Ink Formulating Point Source Category-CWA (pgs. 341-343; 2 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
454	Gum & Wood Chemicals Manu- facturing Point Source Category-CWA (pgs. 343- 348; 5 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures and re- structure as described above.	This action would delete redundant provisions.	Final 6/95
455	Pesticide Chemicals-CWA (pgs. 348-366; 18 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures and re- structure as described above.	This action would delete redundant provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
457	Explosives Manufacturing Point Source Category-CWA (pgs. 366-367; 1 pg.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures and re- structure as described above.	This action would delete redundant provisions.	Final 6/95
458	Carbon Black Manufacturing Point Source Category-CWA (pgs. 368-373; 5 pgs.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures; replace references to Part 128 pretreatment standards with Part 403 General Pretreatment Regs; and restructure as described above.	This action would delete redundant provisions and correct outdated provisions.	Final 6/95
459	Photographic Point Source Category-CWA (pgs. 373- 374; 1 pg.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures and re- structure as described above.	This action would delete redundant provisions.	Final 6/95

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
460	Hospital Point Source Category-CWA (pgs. 374- 375; 1 pg.)	Delete	Delete reference(s) to fundamentally different factor variance proce- dures and refer to Part 125 procedures and re- structure as described above.	This action would delete redundant provisions.	Final 6/95
461	Battery Manufacturing Point Source Category-CWA (pgs. 375-406; 31 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
463	Plastics Molding & Forming Point Source Category-CWA (pgs. 407-413; 6 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
464	Metal Molding & Casting Point Source Category-CWA (pgs. 413-459; 46 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
465	Coil Coating Point Source Category-CWA (pgs. 459- 476; 17 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
466	Porcelain Enameling Point Source Category-CWA (pgs. 476-483; 7 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
467	Aluminum Forming Point Source Category-CWA (pgs. 484-525; 41 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
468	Copper Forming Point Source Category-CWA (pgs. 525-543; 18 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
469	Electrical & Electronic Components Point Source Category-CWA (pgs. 543- 550; 7 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
471	Nonferrous Metals Forming & Metal Powders Point Source Category-CWA (pgs. 550-670; 120 pgs.)	Modify	Restructure as described above in description of action for Parts 405-471.	This action would reduce the number of CFR pages.	NPRM 5/96 Final 11/96
501	<u>SUBCHAPTER O-SEWAGE SLUDGE</u> State Sludge Management Program Regs-CWA Sec. 101(e), 405(f), 501(a), & 518(e) (pgs. 671-691; 20 pgs.)	Modify	Revise and consolidate existing permit appli- cation forms and require- ments for sludge facili- ties, streamline the application process by allowing the use of existing data and avoid- ing unnecessary report- ing, and examine elec- tronic data submission.	This action should minimize the need for repeated requests for additional information and reduce reporting burdens, particu- larly for small entities.	NPRM 9/95 Final 6/97

Part	Title of Regulation	Action: Delete/ Modify/ Study/ Retain	Action	Benefit	Target Date
503	Standards for the Use or Disposal of Sewage Sludge- CWA Sec. 405(d)&(e) (pgs. 691-722; 31 pgs.)	Modify	Revise continuous emission monitoring and other pollutant limitation and monitoring requirements for sewage sludge incinerators to reduce monitoring frequencies and make requirements self implementing; and revise to make minor technical amendments to clarify requirements and correct omissions and typographical errors.	This action would provide the regulated community flexibility in implementing site specific requirements and would conform certain monitoring requirements with existing air monitoring requirements.	NPRM 6/95 Final 6/96
503	Continued...	Modify	Revise to include new pollutant limits for molybdenum and revised requirements for incinerator emissions and reporting and recording keeping; to eliminate use of the 99th percentile to set pollutant concentrations; and to allow higher ceiling limits for pollutants in areas with high background levels.	This action would relax a number of existing requirements.	NPRM 12/95 Final 6/97