



Identification of Regions and Agencies for Solid Waste Management

A Status Report

IDENTIFICATION OF REGIONS AND AGENCIES
FOR SOLID WASTE MANAGEMENT
A Status Report

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REGION/AGENCY ID REPORT

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IDENTIFICATION OF REGIONS AND AGENCIES
FOR SOLID WASTE MANAGEMENT

Introduction

The purpose of the report is threefold:

- (1) To provide the Office of Solid Waste of the United States Environmental Protection Agency (EPA) with a concise summary of the progress that has been made by the States in completing the requirements for identifying regions and agencies for solid waste management under section 4006 of the Resource Conservation and Recovery Act of 1976.
- (2) To provide solid waste staffs in the EPA Regional Offices with an insight into how their States compare with the rest of the Nation in terms of the status of identifications and the procedures that have been used to make identifications.
- (3) To provide a guidance document which will assist the States in developing solid waste management plans and which will assist the EPA Regional Offices in reviewing these plans.

The report (1) shows the status of regional and agency identifications in each State, (2) provides summaries of the procedures that have been used to make identifications and (3) discusses actions for the States to take to implement the identifications that have been made and for making further identifications.

Because the identification process is a dynamic process, it is virtually impossible to guarantee that the Office of Solid Waste has the latest "up to the minute" information for every State in the Nation. This status report was prepared based on information that was available as of February 1979.

I. BACKGROUND INFORMATION

A. Legislation

During passage of the Resource Conservation and Recovery Act of 1976 (RCRA), Congress stated "the key to coping with the ever-increasing volume of discarded materials appears to be a regional approach to its disposal, (however) few areas have achieved the necessary planning or coordination to develop such an approach."¹

The intent of Congress to provide Federal support for coordinated and accountable institutions to manage solid waste is witnessed in the requirements of RCRA:

1. Section 4006 requires State and local governments to identify regions, agencies, and responsibilities for solid waste management.
2. Section 4007(b)(1) requires States to comply with section 4006 in order to be eligible for Federal grants under Subtitle D of RCRA.
3. Section 4008(c) allows distribution of section 4008 (a)(1) funds only to identified agencies.
4. Section 4003(1) requires that State solid waste management plans must identify (a) agencies and responsibilities, (b) a Federal funds distribution system, and (c) the means for substate coordination in order for the plans to be approved by EPA.

¹ Report on RCRA, House Committee on Interstate and Foreign Commerce, September 9, 1976, p. 22.

B. Regulations

The U.S. Environmental Protection Agency (EPA) has published the following regulations which address regional and agency identifications and responsibilities.

1. Interim Guidelines For The Identification of Regions and Agencies For Solid Waste Management (ID Guidelines) were published on May 16, 1977. The guidelines recommend procedures and criteria for the States to use in identifying regions and agencies.

2. Guidelines For The Development And Implementation of State Solid Waste Management Plans were published on July 31, 1979. Subpart B of these Guidelines requires the State plan to identify: a) agencies and responsibilities for solid waste management (including resource recovery and planning and implementing hazardous waste disposal facilities), b) a Federal funds distribution system, and c) the means for substate coordination. The Guidelines also list a number of recommended program areas for which States should make identifications.

3. Requirements For State Hazardous Waste Programs were repropoed on June 14, 1979 as part of the consolidated permit regulations covering hazardous waste and other programs. Under this regulation States seeking authorization under Subtitle C of the Act must identify a lead agency and describe how activities will be coordinated if more than one agency within a State has responsibility for administering the State hazardous waste program.

4. Financial Assistance For Resource Recovery Project Development Under The President's Urban Policy was published on October 17, 1978. This regulation announced the President's Urban Policy Program for resource conservation and recovery activities and requested proposals from urban areas needing financial assistance to help develop resource conservation and recovery programs. Under this regulation only the following agencies are eligible for financial assistance: (a) agencies designated (or with an interim designation) in accordance with section 4006 of RCRA to implement the resource recovery aspects of the State Solid Waste Management Plan or (b) agencies which have been delegated the responsibility to implement resource recovery projects (by the agencies so designated under section 4006).

C. Implementation

Section 4006(a) of RCRA requires the Governor of each State to identify regional boundaries for solid waste management within 180 days after publication of the ID Guidelines, (November 12, 1977). The States actually completed these identifications according to the following schedule and many of the States not completing the identification of regions in FY 77 were required to complete them in FY 78 as a condition of their RCRA grant.

A.	By November 12, 1977	26 States
B.	After November 12, 1977	
	11/12/77 - 11/30/77	11 States
	12/1/77 - 12/31/77	4 States
	1/1/78 - 3/31/78	4 States

4/1/78 - 10/31/78	9 States
After 11/1/78	2 States

Section 4006(b) of RCRA requires the Governor of each State to identify State and local agencies and responsibilities within 180 days after regions are identified in the State, (May 11, 1978). The States completed their first round of agency and responsibility identifications according to the following schedule:

A.	By May 11, 1978	31 States
B.	Between May 12, 1978 and August 11, 1978	16 States
C.	After August 12, 1978	9 States

II. IDENTIFICATION OF REGIONS

A. Summary of Procedures Used

Section 4006(a) of RCRA requires "the Governor of each State, after consultation with local elected officials, shall promulgate regulations...identifying the boundaries of each area within the State which...is appropriate for carrying out regional solid waste management." The ID Guidelines recommend that States take the following three steps in identifying regions:

- (1) A preliminary identification of regions by the Governor or his designee and a notification of local officials of the identifications.
- (2) Consultation with local officials.
- (3) Promulgation of regulations to formalize the agreed upon identifications.

In most States, the State Solid Waste Management Agency administered these procedures under the Governor's direction. The following three sections summarize the actual procedures that were used by the States to complete the three recommended steps in the ID Guidelines.

1. Preliminary Identifications/Notify Local Officials

In 49 States, the State Solid Waste Management Agency developed the preliminary identifications of regions, or at least a list of possible boundary options. In many cases regional and local government associations in the State were contacted before these preliminary identifications were made, or the lists developed. In several States the

Solid Waste Management Agency developed preliminary identifications or boundary options as a part of task force or work group efforts (usually including representatives of local government).

After the Solid Waste Management Agency developed the preliminary identifications the Governor, or the Solid Waste Management Agency itself, notified local officials of the identifications or boundary options. In most States this was accomplished by a letter from the Governor's Office or from the State Solid Waste Management Agency to all local officials. In some States announcements were placed in official State Notices or Bulletins, in local or statewide newspapers, or in newsletters distributed to local government associations.

Local officials were notified of the preliminary identifications of regions, or possible boundary options, in the following manner:

- A letter from the Governor or the
State Solid Waste Management Agency 40 States
- A combination of letters, State
notices, and/or newsletters 8 States
- Some other method (e.g. legislation,
A-95 review) 8 States

2. Consultation With Local Officials

After the preliminary identifications were made and the local officials notified, the Governor or State Solid Waste Management Agency consulted with local officials to solicit their comments on the proposed regional boundaries.

The solicitation of local opinion on the proposed regional boundaries was accomplished in the following manner:

- Meetings 29 States
- A letter from the Governor or State Solid Waste Management Agency requesting comments 23 States
- Other method (e.g. legislation) 4 States

3. Promulgation of Regulations

Section 4006(a) of RCRA requires the Governor of each State to formalize the establishment of regional boundaries for carrying out solid waste management by promulgating regulations identifying the regions. The ID Guidelines allowed the use of past legislation in lieu of promulgating new regulations where the identification of areas had already been made by such State legislation (or other means having equivalent legal stature to the required regulations). Using this method the States were required to first notify and consult with local officials concerning the formalization of such previously identified areas.

As of February, 1979 two States' identifications were pending. The remainder of the States established regions for solid waste management in the following manner:

- Regulation 2 States
- Executive Order by the Governor 14 States
- Previous State Legislation 34 States
- Other (e.g. new State legislation) 4 States

B. Summary of Boundaries Identified In Each State

The ID Guidelines recommended that the selection of regions be based upon a series of criteria including: past experiences, resource recovery options, waste volumes and types, environmental factors, and potential for coordination with other on-going programs. Table I on the next page lists the types of regional boundaries that were identified in each State. In all cases existing State, regional or local government boundaries were used to establish the solid waste management regions. The following is a general description of the six types of boundary designations that were used by the Governors.

1. State - The boundaries of the State were identified as a region.
2. State and Local Boundaries - State and local government boundaries were both identified, recognizing strong home-rule traditions.
3. State and Regional Boundaries - State and regional boundaries were both identified recognizing the overlap in the planning jurisdictions of the State and regional agencies.
4. Multi-county Boundaries - The boundaries of established Council of Governments (COG's) or other regional planning organizations were identified.
5. County Boundaries - The county boundaries in the State were identified.
6. Mix of County and Multi-county Boundaries - A mixture of county and multi-county (COG) boundaries were identified.

TABLE I - Regional Boundaries Identified (As of February, 1979)

BOUNDARY STATE TYPES	STATE	STATE AND LOCAL	STATE AND REGIONAL	MULTI- COUNTY	COUNTY	COUNTY & MULTI COUNTY
ALABAMA				X		
ALASKA					X	
ARIZONA				X		
ARKANSAS	X					X
CALIFORNIA						X
COLORADO				X		
CONNECTICUT			X			
DELAWARE	X					
FLORIDA				X		
GEORGIA				X		
HAWAII					X	
IDAHO				X		
ILLINOIS	X					
INDIANA						X
IOWA						X
KANSAS					X	
KENTUCKY				X		
LOUISIANA				X		
MAINE			X			
MARYLAND					X	
MASSACHUSETTS		X				
MICHIGAN						X
MINNESOTA			X			
MISSISSIPPI				X		
MISSOURI				X		
MONTANA				X		
NEBRASKA						X
NEVADA					X	
NEW HAMPSHIRE			X			
NEW JERSEY					X	
NEW MEXICO				X		
NEW YORK						X
NORTH CAROLINA				X		
NORTH DAKOTA				X		
OHIO						X
OKLAHOMA					X	
OREGON						X
PENNSYLVANIA						
RHODE ISLAND		X				
SOUTH CAROLINA					X	
SOUTH DAKOTA				X		
TENNESSEE	X					
TEXAS	X					
UTAH				X		
VERMONT		X				
VIRGINIA				X		
WASHINGTON					X	
WEST VIRGINIA	X					
WISCONSIN						X
WYOMING	X					
AMERICAN SAMOA	X					
GUAM	X					
PUERTO RICO					X	
VIRGIN ISLANDS	X					
WASHINGTON DC	X					
N. MARIANA IS.	X					

Footnotes To Table I

1. Arkansas identified State, county and multi-county boundaries.
2. Minnesota identified two regional areas and the rest of the State as regions.
3. Wisconsin, California, and Arkansas separately identified county and multi-county boundaries for different types of planning.
4. Ohio and Oregon identified a district/subdistrict arrangement between regional and county governments.
5. Iowa, Nebraska, and New York identified regions in some parts of the State, county government boundaries in the other parts.
6. The boundaries in Alaska and Puerto Rico are equivalent to counties although counties per se do not exist.
7. Texas identified the State as a region for industrial waste, but has not completed this action for municipal waste.

III. JOINT IDENTIFICATION OF AGENCIES

A. Summary of Procedures Used

Section 4006(b) of RCRA requires each State, together with appropriate local officials to jointly identify: 1) an agency to develop the State plan, 2) one or more agencies to implement the plan, and 3) which solid waste functions will be planned for and carried out by the State, and which functions will be planned for and carried out by regional and local authorities. The ID Guidelines recommended that States take the following steps in identifying agencies:

1. The Governor should designate a lead agency to manage the identification process.
2. The Governor should notify regional and local governments and area-wide planning agencies of the purpose and schedule of the joint identification process.
3. Solicit nominations of agencies from regional and local governments.
4. Hold public meetings, where necessary to reach a consensus regarding the agency(ies) to be identified.
5. Obtain formal agreement among local elected officials.
6. The State should confirm the agreement by legislative resolution or executive order.

The following four sections summarize the procedures that were used by the States to complete these six steps.

1. Designation of a Lead Agency and Notification of Interested Parties.

In most States the State Solid Waste Management Agency managed the identification process. A key task in the identification process was for the States to notify all

local governments and interested groups of the identification procedures and the preliminary agency recommendations being proposed by the State. Notifications were made by letter, announcements in the newspapers, State Register or Bulletin Notices, informal and formal contacts with local government associations, or through RCRA Task Forces (made up of representatives of State and local governments and private industry). Preliminary State recommendations for identifying agencies were often developed at State-level meetings which frequently included local officials.

2. Solicit Nominations

In accordance with the recommendations in the ID Guidelines the lead agencies in all States contacted interested parties to solicit their nominations of agencies for developing and implementing the State plan. Nominations were often solicited in the same letter that notified local officials of the State's identification procedures. Five States went so far as to mail survey/questionnaires to solicit local officials' nominations. The following is a summary of the procedures that were used for notifying local officials and interested persons, and for soliciting their nominations of agencies for solid waste management.

- A letter from the Governor or the lead state agency to all local governments 15 States
- A letter or other form of announcement and public meetings 32 States

- A letter or other form of announcement
and public hearings 3 States
- Other methods (e.g. legislation or
regulation) 6 States

3. Hold Meetings, Develop Consensus Position.

The ID Guidelines recommended that public meetings be held to resolve differences at State and local levels. A schedule of meetings was often announced in the initial letter of notification sent to local officials. These meetings were often relied upon for soliciting nominations as well as for developing State and local agreement. RCRA Task Forces and work groups were also formed in many States to facilitate the identification process. In addition, many State Solid Waste Management Agencies held meetings with other state agencies to formulate a state position statement concerning the identifications

4. State Confirmations of Agreement.

RCRA is silent regarding how agencies were to be formally confirmed by the State. The ID Guidelines recommended that when the local consensus position agreed with the State opinion, the State should confirm that arrangement by legislative resolution or an Executive Order by the Governor. Joint State/local identifications of agencies and responsibilities were actually confirmed in the following manner:

- A letter from the Governor or his designee
to EPA 38 States
- State regulation 3 States

- Executive Order 13 States
- Information not available (as of 2/79) 3 States

B. Summary of Agency Identifications

The ID Guidelines recommended that the selection of agencies be based upon a series of criteria including: experience and expertise, membership, authority under State law, section 208 designations under the Clean Water Act, planning objectives, and control of water supplies. All States have identified agencies for developing and implementing the state solid waste management plan. Most have identified agencies and assigned responsibilities to a mix of state and substate agencies. No new agencies were created as a result of the identification processes.

Each of the Tables on pages 18-25 were designed to best represent all the information received by EPA concerning the selection of State and local solid waste management agencies and their responsibilities. The tables should not be interpreted as representing all the agencies and the level of detail that is necessary for managing solid waste in a State. The tables reflect the outcome of the identification process as of February, 1979.

The following is a brief explanation of the subject that is covered by each of the tables:

Table II indicates if the State has identified lead State agencies to manage non-hazardous and hazardous wastes.

Table III indicates the types of agencies identified in each State as having the lead in developing substate plans.

Table IV indicates the type of agency identified in each State as having the lead in implementation of plans at the local level.

Table V indicates the responsibilities of the agencies identified as having the lead in the implementation of plans at the local level.

Table II - Identification of State Agencies

A. Glossary of Terms

1. Non-hazardous Waste Management

In these States, lead State agencies have been identified to specifically (1) carry out all the requirements of Subtitle D of RCRA, (2) manage solid waste at the state-level, or (3) develop the State Solid Waste Management Plan.

2. Hazardous Waste

- a. Management - In these States, lead State agencies have been identified to specifically (1) carry out all the requirements of Subtitle C of RCRA, (2) manage hazardous waste at the State-level, or (3) plan for hazardous waste,
- b. Not Available - Official designations of responsibility have not been received by EPA Headquarters.

B. Footnotes

- 1. A dual designation was made in Texas involving the Texas Department of Water Resources and the Texas Department of Health.

TABLE II - Identification of Lead State Agencies (As of February, 1987)

LEAD STATE AGENCY	NON-HAZARDOUS WASTE MANAGEMENT	HAZARDOUS WASTE	
		MANAGEMENT	NOT AVAILABLE
ALABAMA	X	X	
ALASKA	X	X	
ARIZONA	X	X	
ARKANSAS	X	X	
CALIFORNIA	X	X	
COLORADO	X		X
CONNECTICUT	X	X	
DELAWARE	X	X	
FLORIDA	X		X
GEORGIA	X	X	
HAWAII	X	X	
IDAHO	X	X	
ILLINOIS	X	X	
INDIANA	X	X	
IOWA	X	X	
KANSAS	X	X	
KENTUCKY	X	X	
LOUISIANA	X	X	
MAINE	X	X	
MARYLAND	X	X	
MASSACHUSETTS	X	X	
MICHIGAN	X	X	
MINNESOTA	X	X	
MISSISSIPPI	X	X	
MISSOURI	X	X	
MONTANA	X		X
NEBRASKA	X	X	
NEVADA	X	X	
NEW HAMPSHIRE	X	X	
NEW JERSEY	X	X	
NEW MEXICO	X	X	
NEW YORK	X	X	
NORTH CAROLINA	X	X	
NORTH DAKOTA	X	X	
OHIO	X	X	
OKLAHOMA	X	X	
OREGON	X	X	
PENNSYLVANIA	X	X	
RHODE ISLAND	X	X	
SOUTH CAROLINA	X	X	
SOUTH DAKOTA	X		X
TENNESSEE	X	X	
TEXAS	X	X	
UTAH	X		X
VERMONT	X	X	
VIRGINIA	X	X	
WASHINGTON	X	X	
WEST VIRGINIA	X	X	
WISCONSIN	X		X
WYOMING	X		X
AMERICAN SAMOA	X	X	
GUAM	X	X	
PUERTO RICO	X	X	
VIRGIN ISLANDS	X	X	
WASHINGTON D.C.	X	X	
N.MARIANA IS.	X		X

Table III - Agencies With Lead For Developing Substate Plans

A. Glossary of Terms

1. State

State agencies were identified as responsible for substate planning.

2. Regional

Multi-county, multi-local or Council of Governments agencies were identified as responsible for substate planning.

3. County

County governments were identified as responsible for substate planning.

4. Municipal

Cities and town governments were identified as responsible for substate planning.

5. Pending

Agencies for substate planning have not yet been identified.

B. Footnotes

1. Pennsylvania's Act 241, Section 5 mandates solid waste planning based on the population density of either regions, counties or municipalities. Although regions have not been formulated, planning responsibilities will lie with one or all of these agencies.

* Note: two or more "x" indicates that the lead for substate planning is to be shared.

TABLE III - Agencies With Lead: Substate Plans (As of February, 1979)

STATE TYPE OF AGENCY	STATE	REGIONAL	COUNTY	MUNICIPAL	PENDING	
ALABAMA		X				
ALASKA					X	
ARIZONA		X	X			
ARKANSAS		X	X	X		
CALIFORNIA		X	X			
COLORADO		X				
CONNECTICUT	X	X		X		
DELAWARE	X					
FLORIDA		X				
GEORGIA		X				
HAWAII			X			
IDAHO		X				
ILLINOIS	X					
INDIANA		X	X			
IOWA		X	X			
KANSAS			X			
KENTUCKY	X					
LOUISIANA					X	
MAINE	X	X		X		
MARYLAND			X			
MASSACHUSETTS	X	X		X		
MICHIGAN		X				
MINNESOTA		X	X			
MISSISSIPPI		X				
MISSOURI		X				
MONTANA			X	X		
NEBRASKA		X	X			
NEVADA		X	X			
NEW HAMPSHIRE	X					
NEW JERSEY			X			
NEW MEXICO		X				
NEW YORK		X	X	X		
NORTH CAROLINA		X				
NORTH DAKOTA		X				
OHIO		X	X			
OKLAHOMA			X			
OREGON			X			
PENNSYLVANIA					X	
RHODE ISLAND	X					
SOUTH CAROLINA		X	X			
SOUTH DAKOTA		X				
TENNESSEE	X					
TEXAS					X	
UTAH		X				
VERMONT	X	X		X		
VIRGINIA		X				
WASHINGTON			X			
WEST VIRGINIA	X					
WISCONSIN		X	X			
WYOMING	X					
AMERICAN SAMOA	X					
GUAM	X					
PUERTO RICO	X					
VIRGIN ISLANDS	X					
WASHINGTON DC	X					
N. MARIANA IS.	X					

Table IV - Agencies With Lead For Implementing Solid Waste Plans at the Local Level

A. Glossary of Terms

1. State

A state-level agency has been identified to implement plans at the local level.

2. County

County governments have been identified to implement plans at the local level.

3. Cities & Towns

City and town governments have been identified to implement plans at the local level.

4. Counties & Cities

One of the following two identifications have been made in the State: a) counties will implement plans at the local level, with the approval of residing cities, or b) counties will implement plans outside of city and town limits, and cities and towns will implement in their own jurisdictions.

5. Other

Lead implementation agencies at the local level will be either special districts or a combination of agencies (see footnotes).

6. Not Available

Official designations of these agencies have not been received by EPA Headquarters.

B. Footnotes

1. Idaho - The State identified health districts as the agencies to implement plans.
2. Minnesota - The Twin Cities Metro Council was identified as a local implementing agency. Information regarding the identification of agencies for the remainder of the State has not yet been received.

- 3) Pennsylvania - The State's Act 241 mandates implementation responsibilities to municipalities based on population density. Counties and cities will have the lead for implementing solid waste plans at the local level.
- 4) Wisconsin - The Wisconsin Solid Waste Recycling Authority and the counties were identified to implement various aspects of solid waste management.
- 5) Puerto Rico - The new State Solid Waste Authority was identified as the implementation agency. However, during the transition period, local communities will also continue to implement.

TABLE IV - Agencies With Lead: Implementing Local Plans (As of February, 1961)

STATE	STATE	COUNTY	CITIES & TOWNS	COUNTIES & CITIES	OTHER	NOT AVAILABLE
ALABAMA				X		
ALASKA						X
ARIZONA		X	X			
ARKANSAS				X		
CALIFORNIA				X		
COLORADO				X		
CONNECTICUT			X			
DELAWARE	X					
FLORIDA				X		
GEORGIA				X		
HAWAII		X				
IDAHO					X	
ILLINOIS				X		
INDIANA				X		
IOWA						X
KANSAS		X				
KENTUCKY		X				
LOUISIANA						X
MAINE			X			
MARYLAND		X				
MASSACHUSETTS			X			
MICHIGAN		X				
MINNESOTA					X	
MISSISSIPPI				X		
MISSOURI						X
MONTANA				X		
NEBRASKA				X		
NEVADA		X	X			
NEW HAMPSHIRE			X			
NEW JERSEY		X				
NEW MEXICO				X		
NEW YORK				X		
NORTH CAROLINA				X		
NORTH DAKOTA		X				
OHIO				X		
OKLAHOMA				X		
OREGON		X				
PENNSYLVANIA						X
RHODE ISLAND			X			
SOUTH CAROLINA		X				
SOUTH DAKOTA						X
TENNESSEE				X		
TEXAS						X
UTAH				X		
VERMONT			X			
VIRGINIA		X				
WASHINGTON			X			
WEST VIRGINIA	X					
WISCONSIN					X	
WYOMING	X					
AMERICAN SAMOA	X					
GUAM	X					
PUERTO RICO					X	
VIRGIN ISLANDS	X					
WASHINGTON DC	X					
N. MARIANA IS.	X					

Table V - Local Implementation Agency Responsibilities

A. Glossary of Terms

1. Local Implement.

The agencies were identified to "do local implementation".

2. Implement. of Plans

The agencies were identified to "implement solid waste management plans"

3. SWM Implement.

The agencies were identified to "implement solid waste management programs".

4. Implement. SW Disposal

The agencies were identified to only implement solid waste disposal facilities.

5. Other

Other agency responsibilities were identified (see footnotes).

6. Not Available

Official designations of responsibilities have not been received by EPA Headquarters.

B. Footnotes

1. Arkansas - Local agencies were also identified to implement resource recovery.
2. Michigan - Counties were identified to implement resource recovery and waste handling.
3. Wisconsin - The Wisconsin Solid Waste Recycling Authority was identified to implement transportation, processing, resource recovery, and disposal.
4. Puerto Rico - The Solid Waste Authority was identified to implement resource recovery in coordination with municipalities; and municipalities are to implement collection, transportation, and final disposal until the Solid Waste Management Authority provides facilities for processing and final disposal.

TABLE V - Local Implementation Agency Responsibilities (February, 1979)

RESPONSI- BILITIES STATE	LOCAL IMPLEMENT	IMPLEMENT. OF PLANS	SWM IMPLEMENT	IMPLEMENT SW DISPOSAL	OTHER	NOT AVAILA.
ALABAMA			X			
ALASKA						X
ARIZONA			X			
ARKANSAS		X		X	X	
CALIFORNIA			X			
COLORADO	X					
CONNECTICUT			X			
DELAWARE			X			
FLORIDA		X				
GEORGIA	X					
HAWAII			X			
IDAHO			X			
ILLINOIS	X					
INDIANA		X				
IOWA						X
KANSAS			X			
KENTUCKY		X				
LOUISIANA						X
MAINE			X			
MARYLAND			X			
MASSACHUSETTS			X			
MICHIGAN					X	
MINNESOTA	X					
MISSISSIPPI				X		
MISSOURI						X
MONTANA			X			
NEBRASKA	X					
NEVADA			X			
NEW HAMPSHIRE	X					
NEW JERSEY			X			
NEW MEXICO			X			
NEW YORK			X			
NORTH CAROLINA			X			
NORTH DAKOTA	X					
OHIO	X					
OKLAHOMA		X				
OREGON			X			
PENNSYLVANIA						X
RHODE ISLAND			X			
SOUTH CAROLINA				X		
SOUTH DAKOTA						X
TENNESSEE			X			
TEXAS						X
UTAH		X				
VERMONT			X			
VIRGINIA			X			
WASHINGTON		X				
WEST VIRGINIA			X			
WISCONSIN					X	
WYOMING	X					
AMERICAN SAMOA			X			
GUAM			X			
PUERTO RICO					X	
VIRGIN ISLANDS			X			
WASHINGTON DC			X			
N. MARIANA IS.			X			

IV. FUTURE STATE ACTIONS

The Goal of the identification process is to identify all agencies and responsibilities for solid waste management in each State. The minimum requirements which States must meet to satisfy this goal are established in section 4003 of RCRA. States will need to meet these minimum requirements in order for EPA to approve State solid waste management plans. In particular, section 4003(1) specifies "The plan shall identify (in accordance with section 4006(b))

- (a) The responsibilities of State, local, and regional authorities in the implementation of the State plan,
- (b) The distribution of Federal funds to the authorities responsible for development and implementation of the State plan, and
- (c) The means for coordinating regional planning and implementation under the State Plan."

The following three subsections of this report compare the identifications that have been completed to date to the minimum requirements listed under section 4003(1). This is done to give some indication of the future actions that States may have to take to complete the identification process.

A. The identification of responsibilities of State, regional and local authorities in the implementation of the State Plan.

Subpart B of the Guidelines for the Development and Implementation of State Solid Waste Management Plans elaborates on the Act's requirements for identification of agencies and recommends additional identifications that States should consider when developing their State Plan. Section 256.10 of

the Guidelines requires State plans to identify the responsibilities for the following activities:

- (1) classifying disposal facilities for the open dump inventory,
- (2) developing and implementing the State regulatory program,
- (3) developing and implementing the State resource conservation and recovery program, and
- (4) planning and implementing solid and hazardous waste management facilities and services.

As indicated in Table II most States have identified lead State agencies to manage non-hazardous and hazardous wastes, and to develop the State solid waste management plan. An entire department has been usually identified as the responsible agency. Table III indicates most States have also identified the lead agencies that will be responsible for developing substate plans. However, few States have clearly defined the responsibilities of these agencies. Table IV indicates most States have identified the lead agencies that will be responsible for implementing plans at the local level. However, Table V indicates that the responsibilities of these agencies have only been defined in general terms by the States.

A comparison of the identifications that have been completed to date to the requirements in the State Planning Guidelines indicates that:

- (1) completed identifications are general, cover a broad range of responsibilities and do not discriminate by waste type,

(2) State-level identifications do not address the different areas of solid waste management to the level of detail required by RCRA or the State Planning Guidelines, and

(3) a basic framework of agencies was identified for substate planning, however specific planning responsibilities were not defined at the State or substate level.

Most, if not all, States will have to clarify State, regional and local responsibilities to a greater level of detail in order to fullfill the requirements of the State Planning Guidelines and to produce a State plan which EPA can approve.

B. The identification of a system for distributing Federal funds to the authorities responsible for development and implementation of the State plan.

The Office of Solid Waste conducted an informal survey in September, 1978 to determine what steps the States had taken to develop a system for distributing Federal funds to the parties who are designated under section 4006(b) as responsible for developing and implementing the State plan. The survey indicated that approximately fifteen States had developed a system for distributing Federal funds. This situation reflects two important factors: (1) EPA is currently discouraging States from passing through Subtitle D funds to substate and local agencies because Federal funds are limited, and

(2) States are accordingly placing a higher priority on activities related to overall State planning and implementation rather than on substate activities.

Survey results also indicate several factors which are important in the development of funds distribution systems:

- a. the responsibilities of all substate agencies that will be involved in planning and implementing the State plan have to be clearly defined,
- b. local interagency agreements and memoranda of understanding are good vehicles for defining responsibilities, and
- c. the State contracting mechanism (including grant application procedures), and the competitive selection procedures (including eligibility and selection criteria) must be clear and equitable.

C. The identification of the means for coordinating regional planning and implementation under the State plan.

Planning and implementation activities need to be coordinated if the State planning process is to be successful. It appears that the agencies identified as responsible for regional planning activities are not always the same agencies responsible for implementing plans at the local level. A comparison between Table III and Table IV illustrates this point:

- A State agency will plan and implement in 8 States.
- A State agency will plan and cities and towns will implement in 6 States.
- State and regional agencies will plan and cities and towns will implement in 4 States.

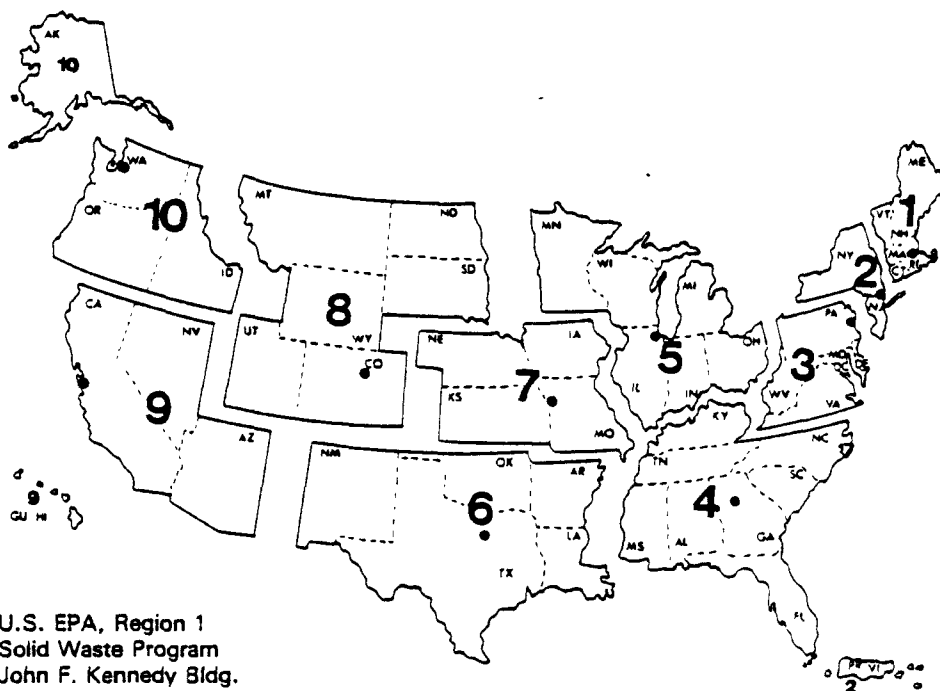
- Regional agencies will plan and counties and cities will implement in 7 States.
- Regional and county agencies will plan and counties will implement in 6 States.
- Counties will plan and implement in 6 States.

As seen in the comparison of the Tables, State, regional and county governments have major responsibility for substate planning activities. Counties, cities and towns have the prime responsibility for implementing activities at the local level.

Because counties, cities and towns will be directly affected by the plans that are developed, they must participate in substate planning activities. The mechanism that will be used to include counties, cities and towns in the planning process should be defined in the State plan. Memoranda of understanding, Council of Governments' resolutions or other specific agreements are mechanisms which can help coordinate the planning and implementing activities among different levels of government. However, it appears that specific divisions of responsibilities and written agreements among different levels of government have not yet been accomplished in most States.

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EPA REGIONS



U.S. EPA, Region 1
Solid Waste Program
John F. Kennedy Bldg.
Boston, MA 02203
617-223-5775

U.S. EPA, Region 2
Solid Waste Section
26 Federal Plaza
New York, NY 10007
212-264-0503

U.S. EPA, Region 3
Solid Waste Program
6th and Walnut Sts.
Philadelphia, PA 19106
215-597-9377

U.S. EPA, Region 4
Solid Waste Program
345 Courtland St., N.E.
Atlanta, GA 30308
404-881-3016

U.S. EPA, Region 5
Solid Waste Program
230 South Dearborn St.
Chicago, IL 60604
312-353-2197

U.S. EPA, Region 6
Solid Waste Section
1201 Elm St.
Dallas, TX 75270
214-767-2734

U.S. EPA, Region 7
Solid Waste Section
1735 Baltimore Ave.
Kansas City, MO 64108
816-374-3307

U.S. EPA, Region 8
Solid Waste Section
1860 Lincoln St.
Denver, CO 80295
303-837-2221

U.S. EPA, Region 9
Solid Waste Program
215 Fremont St.
San Francisco, CA 94105
415-556-4606

U.S. EPA, Region 10
Solid Waste Program
1200 6th Ave.
Seattle, WA 98101
206-442-1260

