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MONTHLY HOTLINE REPORT

July 1992

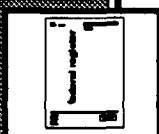
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ENVIRONMENTAL PROTECTION AGENCY
LIBRARY REGION - 5**RCRA/SF/OUST and
Emergency Planning and Community Right-to-Know****Hotline Questions and Answers**

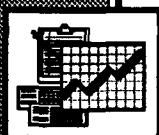
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RCRA/SF/OUST Hotline
National Toll Free No.: 800-424-9346

Emergency Planning and Community
Right-to-Know Hotline
National Toll Free No.: 800-535-0202

This report is prepared and submitted in support of Contract No. 68-W0-0039.

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Washington, DC 20460

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HOTLINE QUESTIONS AND ANSWERS

RCRA

1. Liners and Leak Detection Systems for Hazardous Waste Landfills, Surface Impoundments, and Waste Piles

The Hazardous and Solid Waste Amendments (HSWA) of 1984 created new requirements for both permitted and interim status hazardous waste land disposal units. Initially, to satisfy the requirements outlined in §3004(o), EPA promulgated minimum technological requirements (i.e., double-liners) on July 15, 1985 (50 FR 28702). EPA subsequently proposed two rules on liners and leak detection. On March 28, 1986 (51 FR 10706), and April 17, 1987 (52 FR 12566), EPA proposed amendments to the double liner and leachate collection system standards for landfills and surface impoundments. On May 29, 1987 (52 FR 20218), EPA proposed leak detection system requirements for landfills, surface impoundments, waste piles, and land treatment units. This notice also proposed to expand the double liner requirement to include waste piles. On January 29, 1992 (57 FR 3462), EPA issued a final rule on liners and leak detection systems encompassing all the above proposed rules. How did the January 29, 1992, final rule affect the minimum technological requirements of RCRA §3004(o)?

The January 29, 1992, Federal Register finalizes EPA's proposed actions of March 28, 1986; April 17, 1987; and May 29, 1987; and completes the codification of the minimum

technological requirements imposed by RCRA §§3004(o)(4) and 3004(o)(5)(A). It also modifies previous liner and leachate collection and removal system regulations for permitted and interim status landfills, surface impoundments, and waste piles. In addition, the final rule requires owners and operators of these three types of units to install a leak detection system, establish an action leakage rate, develop a response action plan, and implement a construction quality assurance program.

The following landfills, surface impoundments, and waste piles are affected by this final rule: (1) new units for which construction commences after January 29, 1992; (2) replacement units reused after July 29, 1992; and (3) lateral expansions of units for which construction commences after July 29, 1992. The rule applies to these units regardless of their permit status, and the Agency maintains that the permit does not act as a shield with respect to the leak detection requirements (57 FR 3464). The regulations at 40 CFR §270.4 have, therefore, been amended to require that an owner or operator apply for a permit modification to meet these requirements.

According to the statute, minimum technological requirements for landfills and surface impoundments include a double-liner and leachate collection system, and a leak detection system. Minimum technological requirements for waste piles include a leak detection system. The final rule expanded the double-liner requirements to waste piles (57 FR 3472).

The Agency has determined that a leachate collection and removal system meeting the standards in the final rule fulfills the statutory requirement for a leak detection system. Therefore, a unit's leachate collection and removal system between the top and bottom liners is also its leak detection system. The leak detection system must be designed to detect, collect, and remove leaks at the earliest practicable time. It must be constructed of materials that are compatible with the waste and are strong enough to resist pressure gradients, designed and operated to minimize clogging, and constructed with a minimum bottom slope of one percent. The drainage layer may be granular or synthetic. A granular drainage layer must be at least 12 inches thick, and have a minimum hydraulic conductivity of 1×10^{-2} cm/sec for waste pile and landfill units, or 1×10^{-1} cm/sec for surface impoundment units. Synthetic drainage layers must have a hydraulic transmissivity of 3×10^{-5} m²/sec for waste pile and landfill units, or 3×10^{-4} m²/sec for surface impoundment units. The system requires a sump of sufficient size to collect and remove liquids efficiently and to prevent liquids from backing up into the drainage layer. Variances for alternative system design are available. Landfill and waste pile units also require a leachate collection and removal system immediately above the top liner which ensures that the leachate depth on the top liner does not exceed one foot.

The double-liner system comprises a top and bottom liner. The top liner is the liner directly above the leak detection system. It must be designed to prevent migration of hazardous constituents into the liner during the active life of the unit and during the post-closure period (e.g., a geomembrane liner). The bottom liner must be a composite liner consisting of an upper component (e.g.,

geomembrane) designed to prevent the migration of hazardous constituents into the liner, underlain by at least 3 feet of compacted soil material with a hydraulic conductivity of no more than 1×10^{-7} cm/sec.

Each unit requires a site-specific action leakage rate and a site-specific response action plan. The action leakage rate is based on the maximum leakage rate that the leak detection system can remove without the fluid head on the bottom liner exceeding one foot. When the action leakage rate is exceeded, the response action plan must specify actions to be taken to ensure that the leakage does not migrate out of the unit.

To ensure that the constructed unit meets or exceeds all design criteria and specifications, a construction quality assurance (CQA) program must be implemented. A CQA program must include a test fill for compacted soil liner components, unless waived. It also requires a certification by a registered professional engineer that the CQA plan has been successfully carried out and the liner system meets the design and construction requirements.

The leak detection system must be monitored at least weekly during the active life of the unit, and either monthly, semi-annually, or annually during the post-closure period for disposal units, depending on the amount of liquids detected in the sumps.

2. One-Time Notification Requirement Under §268.7(a)(6)

A manufacturer generates a listed, restricted waste which is piped directly to a wastewater treatment unit exempt from RCRA regulation under §§264.1(g)(6), 265.1(c)(10), and 270.1(c)(2)(v). After treatment, the listed

waste is discharged directly to a POTW pursuant to §261.4(a)(1)(ii). Because the waste is never managed in accumulation tanks or containers regulated under §262.34, it is not subject to "substantive regulation" as defined in the March 24, 1986, Federal Register (51 FR 10152-3), and so is not counted in determining generator status (i.e., conditionally exempt, small quantity, or large quantity generator). Which Part 268 land disposal restrictions notification requirements, if any, apply to this waste?

The generator must comply with the one-time notification requirement under §268.7(a)(6). This section states, "[i]f a generator determines that he is managing a restricted waste that is excluded from the definition of hazardous or solid waste or exempt from Subtitle C regulation, under 40 CFR 261.2-261.6 subsequent to the point of generation, he must place a one-time notice stating such generation, subsequent exclusion from the definition of solid or hazardous waste or exemption from Subtitle C regulation, and the disposition of the waste, in the facility's file" (emphasis added). In the scenario presented above, the waste is generated during the manufacturing process and becomes excluded from the definition of solid waste at the point of discharge to the POTW (§261.4(a)(1)(ii)); in other words, subsequent to the point of generation (see 56 FR 3866; January 31, 1991). Therefore, the one-time notification requirement of §268.7(a)(6) would apply even if, prior to discharge, the generator does not manage the waste in a manner that subjects it to substantive regulation (i.e., the generator does not accumulate the waste in tanks or containers regulated under §262.34).

3. Alcohol-Content Exclusion for the Ignitability Characteristic

A generator produces a wastestream with a flash point of 54 degrees Celsius that contains the following three components: water (77 percent), alcohol (13 percent), and a non-alcoholic liquid component (10 percent). According to the "alcohol exclusion" in 40 CFR §261.21(a)(1), the characteristic of ignitability will not apply to an aqueous solution that contains less than 24 percent alcohol and which has a flash point less than 60 degrees Celsius. Does the presence of a non-alcoholic component cause the aqueous solution to be regulated as an ignitable waste (D001)?

No, the additional non-alcoholic liquid component will not cause the wastestream to be regulated as a D001 waste. Despite the presence of the non-alcoholic liquid component, the wastestream continues to qualify for the alcohol exclusion in 40 CFR §261.21(a)(1). According to the May 19, 1980, Federal Register (45 FR 33108), EPA originally intended for the alcohol exclusion to exempt alcoholic beverages and some types of latex paints, which exhibit low flash points due to the alcohol content, but do not sustain combustion because of the high water content. The alcohol exclusion in 40 CFR §261.21(a)(1), however, is not limited to those wastes mentioned in the May 19, 1980, Federal Register. It applies to all aqueous solutions containing less than 24 percent alcohol, even if additional non-alcoholic components are present. EPA clarified in the June 1, 1990, Federal Register (55 FR 22543) that the term "alcohol" in §261.21(a)(1) refers to any alcohol or combination of alcohols. The Agency notes, however, that if the alcohol is one of those alcohols specified in EPA hazardous waste codes F001-F005 and has been used for its solvent properties, the waste must be evaluated

to determine if it should be classified as an F-listed spent solvent waste.

The alcohol exclusion for the ignitability characteristic was adopted from the Department of Transportation's (DOT) definition of "combustible liquids" in 49 CFR §173.115(b). The alcohol exclusion in 49 CFR §173.115(b)(2)(ii) applies to aqueous solutions containing 24 percent or less alcohol by volume which contain no less than 50 percent water. Since EPA originally intended to be consistent with DOT regulations when promulgating the alcohol exclusion in §261.21(a)(1), the 50 percent water stipulation may be applied to the ignitability characteristic. Therefore, as clarified in an internal EPA memorandum, for the purpose of the ignitability characteristic in §261.21(a)(1), "aqueous" means a solution containing at least 50 percent water by weight.

CERCLA

4. Interest Rates on Superfund Cost Recovery Actions

EPA is authorized by CERCLA §111 to expend Superfund monies to finance response actions in order to facilitate cleanup of Superfund sites. The Agency can then take enforcement action to recover costs from potentially responsible parties (PRPs) at the site pursuant to §107. When calculating recoverable costs, may EPA charge interest on the amount expended? If so, how is the applicable interest rate calculated?

EPA is authorized to seek interest charges on all amounts recoverable under CERCLA §107(a)(4). Recoverable amounts under §107(a)(4) include costs not inconsistent with the National Contingency Plan which are incurred during the process of conducting a removal action, remedial investigation/

feasibility study (RI/FS), or remedial design and remedial action activity (RD/RA). In addition, §107(a)(4) authorizes EPA or other Federal agencies to recover damages for injury to, destruction of, or loss of natural resources, and the costs of any health assessment or health effects studies carried out under §104(i). EPA may also recover its oversight costs, legal costs, and indirect costs in accordance with CERCLA authorities.

The interest EPA seeks from PRPs on outstanding debts from monies spent to clean up Superfund sites, as well as the interest EPA earns on the fund itself, are determined by the Treasury Department each year using a one-year constant average of interest rates paid on U. S. Treasury MK bills. The interest rates for fiscal years 1985 through 1992 are as follows:

1985	10.82%	1989	8.39%
1986	7.43%	1990	8.47%
1987	5.63%	1991	7.99%
1988	6.99%	1992	5.70%

Each fiscal year begins on October 1 and ends on September 30 of the following year. When calculating cost recovery amounts, EPA applies the interest rate from the date EPA issues a demand letter or the date of any fund expenditure. Even if EPA has not made a specific demand for payment, interest is still recoverable from the date EPA incurred the costs (see U.S. v. Bell Petroleum Services, Inc., 734 F. Supp. 771, 784). If a cost recovery action takes place over a number of years, interest on the outstanding balance is recalculated using the new fiscal year's interest rate until EPA receives full payment.

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW

5. Laboratory Use of a Manufactured Chemical

A company manufactures 26,000 pounds a year of a toxic chemical, 2,000 of which are manufactured and used in an on-site laboratory under the supervision of a technically qualified individual. Should the 2,000 pounds be counted toward determination of the manufacturing threshold under §313 of the Emergency Planning and Community Right-to-Know Act (EPCRA), or will this activity manufacturer be exempt under the laboratory use exemption (40 CFR §372.38(d))?

The 2,000 pounds are exempt from the threshold determination for manufacturing under the laboratory use exemption (40 CFR §372.38(d)) because the toxic chemical was manufactured in a laboratory under the supervision of a technically qualified individual. The facility will count only 24,000 pounds of the manufactured chemical toward its applicable manufacturing threshold.

6. Threshold Determination Based on the Range of Concentration Given on the MSDS

A facility regulated under §313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) uses a chemical mixture that contains a listed §313 toxic chemical. The concentration of the toxic chemical is given as a range on the material safety data sheet (MSDS). If the maximum and minimum concentrations are above and below the de minimis concentration level, how can the facility determine quantities for §313 compliance (40 CFR Part 372)?

The amount of the chemical in the mixture that is above the de minimis level, and therefore counts toward the threshold, can be assumed to be proportional to the ratio of the amount above de minimis concentration to the amount of the total concentration range. The concentration of the chemical in the mixture that is not exempt is the average of the de minimis level and the maximum concentration.

For example, assume that a facility manufactures 10 million pounds of a mixture containing 0.25-1.20 percent of a toxic chemical that is subject to a 1 percent de minimis exemption. The quantity of that mixture subject to reporting is:

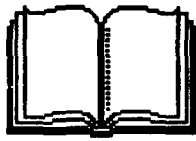
$$10,000,000 \text{ lb} \times \frac{(1.20-1.00)}{(1.20-0.25)} = 2,105,263 \text{ lb nonexempt mixture}$$

This 2,105,263 pounds of nonexempt mixture is multiplied by the average concentration above the de minimis, which is 1.1 percent, or

$$\left(\frac{1.20+1.00}{2} \right)$$

$$2,105,263 \times 0.011 = 23,158 \text{ lb}$$

In this example, the amount of chemical that counts toward a threshold is 23,158 pounds.



NEW PUBLICATIONS

HOW TO ORDER ...

NTIS Publications are available by calling (703) 487-4650, or writing NTIS, 5285 Port Royal Road, Springfield, VA 22161. Be sure to include the NTIS Order Number listed under the document.

Hotline Publications are available through the RCRA/Superfund/OST Hotline by calling a Document Specialist at 1-800-424-9346. Be sure to include the EPA Order Number (if any) listed under the document.

RCRA

TITLE: "The RCRA Implementation Study; The Definition of Solid Waste Update"

AVAILABILITY: Hotline

EPA ORDER NO.: EPA 530-R-92-021

This document presents EPA's preliminary approaches to developing a better definition of solid waste.

TITLE: "RCRA Waste Minimization Action Plan"

AVAILABILITY: Hotline

EPA ORDER NO.: EPA 530-R-92-020

This document outlines activities expected to be implemented over the next five years that will integrate the Agency's pollution prevention concept into the RCRA program.

TITLE: "The Consumer's Handbook for Reducing Solid Waste"

AVAILABILITY: Hotline

EPA ORDER NO.: EPA 530-R-92-003

This document describes how people can help solve the growing garbage problem in the United States. It outlines how individual consumers can help alleviate the mounting

trash problem by making environmentally aware decisions about everyday things such as shopping and lawn care. The booklet provides several practical steps to reduce the amount and toxicity of garbage.

CERCLA

TITLE: "Methodology for Early De Minimis Waste Contributor Settlements under CERCLA Section 122(g)(1)(A)"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB92-963 607

This guidance sets procedures for identifying early de minimis candidates for potential de minimis settlements early in the response process (i.e., prior to the signature of a Record of Decision), and provides a methodology for developing such settlements. This guidance also provides practical assistance in developing early de minimis settlement proposals and agreements. It supplements OSWER Directive 9847.7-1B "Methodologies for Implementation of CERCLA Section 122(g)(1)(A) De Minimis Waste Contributor Settlements," (December 20, 1989).

TITLE: "Superfund Progress; Spring 1992"
AVAILABILITY: NTIS
NTIS ORDER NO.: PB92-963 265

This quarterly Superfund progress report discusses accomplishments in the Superfund program toward protecting people and the environment from the hazards of uncontrolled chemical releases. It portrays facets of the program that often go unnoticed or unpublicized, reports new developments, and provides figures to show what the program has accomplished.

TITLE: "Superfund Progress -- Aficionado's Version"
AVAILABILITY: NTIS
NTIS ORDER NO.: PB92-963 267

This publication supplements "Superfund Progress; Spring 1992." The Aficionado's Version provides detailed statistical information documenting the environmental progress of Superfund.

TITLE: "Evaluation of Groundwater Extraction Remedies: Phase II, Volume 1 -- Summary Report"
AVAILABILITY: NTIS
NTIS ORDER NO.: PB92-963 346

This report is the second phase of a study to evaluate the effectiveness of groundwater extraction systems being used to remediate groundwater contamination at hazardous waste sites. This report was prepared in two volumes. "Volume 1: Summary Report," contains an executive summary and chapters which discuss the purpose, methodologies, and conclusion of the project.

TITLE: "Evaluation of Groundwater Extraction Remedies: Phase II, Volume 2 -- Case Studies and Updates"
AVAILABILITY: NTIS
NTIS ORDER NO.: PB92-963 347

This report is the second phase of a study to evaluate the effectiveness of groundwater extraction systems being used to remediate groundwater contamination at hazardous waste sites. This report was prepared in two volumes. "Volume 2: Case Studies," contains the individual analyses of each of the 24 sites involved in this project.

TITLE: "Accelerating Potentially Responsible Party Remedial Design Starts: Implementing the 30-Day Study"
AVAILABILITY: NTIS
NTIS ORDER NO.: PB92-963 608

This guidance document encourages the Regions to use all available opportunities to compel potentially responsible parties to start the remedial design (RD) prior to entry into a Consent Decree. At a minimum, the RD should start when the Consent Decree is lodged. Where appropriate, Regions should have the RD start even earlier, as soon after signature of the Record of Decision as possible.

TITLE: "Superfund Accelerated Cleanup Bulletin, Volume 1, No. 2"
AVAILABILITY: NTIS
NTIS ORDER NO.: PB92-963 361

This bulletin outlines Superfund's initiative to develop presumptive remedies that are appropriate for specific types of sites, contaminants, or both. This initiative is part of a larger program, known as the Superfund Accelerated Cleanup Model (SACM), which is

designed to speed up all aspects of the Superfund cleanup process. This issue of the Superfund Accelerated Cleanup Bulletin describes presumptive remedies for wood treatment facilities.

TITLE: "Fact Sheet: An Overview of ERNS Emergency Response Notification System Fact Sheet"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB92-963 412

This fact sheet provides an overview of the Emergency Response Notification System (ERNS), a national computer database used to track information on releases of oil and hazardous substances.

TITLE: "Fact Sheet: Oil Notifications; Emergency Response Notification System Fact Sheet"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB92-963 413

This fact sheet provides summary information on notifications to the Emergency Response Notification System concerning releases of oil reported in accordance with the Clean Water Act.

TITLE: "Fact Sheet: CERCLA Notifications Emergency Response Notification System Fact Sheet"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB92-963 411

This fact sheet provides summary information on notifications of releases to the Emergency Response Notification System concerning hazardous substances regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended.

TITLE: "Interim Cashout Settlement Procedures"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB92-963 609

This directive addresses certain issues related to Superfund cashout settlements. These interim procedures provide approaches to resolve certain issues which arose in recent cashout settlements.

TITLE: "Smart Moves in Superfund - Regional Initiatives, Volume 1, No. 1"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB92-963 272

This bulletin serves as an exchange for Regional information about Superfund.

TITLE: "Guidance on Procedures for Submitting CERCLA Section 106(b) Reimbursement Petitions and on EPA Review of Those Petitions"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB92-963 610

CERCLA §106(b)(2) allows a person who has complied with an administrative order issued under §106(a) of CERCLA to submit a reimbursement petition to EPA for the reasonable costs plus interest of a response action. This document describes the procedures for submitting a CERCLA §106(b) petition. In addition, this document describes EPA's process for reviewing the petitions.

**EMERGENCY PLANNING AND
COMMUNITY RIGHT-TO-KNOW**

July 1992

PB92-922 407
530-R-92-014g

TITLE: "Common Synonyms for Chemicals Listed Under Section 313 of the Emergency Planning and Community Right-to-Know Act"

AVAILABILITY: Emergency Planning and Community Right-to-Know Act Hotline

EPA ORDER NO.: EPA/744-B-92-001

The reports contain questions that required EPA resolution or were frequently asked, publications availability, Federal Register summaries, and Hotline call statistics.

This updated document lists chemical, trade, and common names for substances subject to §313 reporting requirements. The substances are listed both alphabetically and by CAS number.

OTHER

TITLE: "Monthly Hotline Report"

AVAILABILITY: NTIS

NTIS ORDER NO.: See below

Yearly Subscription PB92-922 400
530-R-92-014

January 1992 PB92-922 401
530-R-92-014a

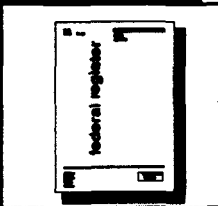
February 1992 PB92-922 402
530-R-92-014b

March 1992 PB92-922 403
530-R-92-014c

April 1992 PB92-922 404
530-R-92-014d

May 1992 PB92-922 405
530-R-92-014e

June 1992 PB92-922 406
530-R-92-014f



FEDERAL REGISTERS

FINAL RULES

RCRA

"Used Oil; Correction" July 1, 1992 (57 FR 29220)

This final rule corrects two typographical errors in the May 20, 1992, final rule on used oil (57 FR 21524). The rule is effective on July 1, 1992.

"Utah: Final Authorization of Hazardous Waste Management Program Revisions" July 2, 1992 (57 FR 29446)

EPA published an immediate final rule on May 15, 1992 (57 FR 20770), which announced the Agency's decision to authorize Utah's revisions to its hazardous waste program. EPA, after consideration of adverse comments received, decided to affirm its decision. This decision is effective July 14, 1992.

"Arsenical-Treated Wood; Technical Corrections" July 10, 1992 (57 FR 30657)

This final rule amends 40 CFR §261.4(b)(9), which previously excluded from the definition of hazardous waste only those arsenical-treated wood and wood products that failed the Toxicity Characteristic for arsenic. This rule excludes from the

definition of hazardous waste arsenical-treated wood and wood products which fail the Toxicity Characteristic for D004-D017. The effective date of this rule is July 10, 1992.

"Arizona: Final Authorization of Hazardous Waste Program Revisions" July 13, 1992 (57 FR 30905)

This final rule announces that, subject to public review and comment, Arizona's hazardous waste program revisions, except corrective action, satisfy all of the requirements necessary to qualify for final authorization. EPA has determined that Arizona's corrective action provisions qualify the State for interim authorization only. Final authorization for Arizona will be effective September 11, 1992, unless EPA publishes a Federal Register action withdrawing this immediate final rule.

"California: Final Authorization of Hazardous Waste Management Program" July 23, 1992 (57 FR 32726)

In this final rule, EPA granted final authorization to California for the operation of its hazardous waste program. Final authorization for California will be effective on August 1, 1992.

Copies of RCRA Federal Registers are available through the Hotline by calling a Document Specialist at 1-800-424-9346.

**"Georgia: Final Authorization of
Hazardous Waste Program Revisions"
July 30, 1992 (57 FR 33638)**

EPA has approved revisions to Georgia's Hazardous Waste Program, which included a provision addressing RCRA §§3004(t)(2) and (3). This action is necessary to de-authorize Georgia for this provision. The effective date is July 30, 1992.

**EMERGENCY PLANNING AND
COMMUNITY RIGHT-TO-KNOW**

**"Hazardous Materials Transportation;
Registration and Fee Assessment
Program"
July 9, 1992 (57 FR 30620)**

The Research and Special Programs Administration (RSPA) Office of DOT established a national registration program for persons engaged in the transportation of certain hazardous materials. This rule is effective August 31, 1992.

PROPOSED RULES

CERCLA

**"Proposal to Delete the Big River-Sand
Company Site from the National
Priorities List"
July 9, 1992 (57 FR 30452)**

This proposed rule announces EPA's intention to delete the Big River Sand Company Site from the National Priorities List. Comments concerning this site may be submitted on or before August 10, 1992.

NOTICES

RCRA

**"Information Collection Request;
Cement Kiln Dust Waste"
July 2, 1992 (57 FR 29487)**

This notice requires cement manufacturing facilities with active kilns to submit information to EPA on their cement kiln dust waste management practices. This information will help EPA submit a detailed, comprehensive Report to Congress on cement kiln dust waste, required by RCRA §8002(o). Comments must be submitted on or before August 3, 1992.

**"Notice of Meeting Location Change"
July 10, 1992 (57 FR 30708)**

This notice changes the location of the July 15, 1992, Roundtable Discussion of the contaminated media and corrective action issues raised by the recently proposed Hazardous Waste Identification Rule (57 FR 21450).

**"Extension of Comment Period for the
Proposed Hazardous Waste
Identification Rule (57 FR 21450)"
July 14, 1992 (57 FR 31164)**

This notice extends the comment period for the proposed Hazardous Waste Identification Rule (57 FR 31164) from July 20, 1992, until July 24, 1992.

CERCLA**"Early De Minimis Waste Contributor Settlements"****July 1, 1992 (57 FR 29312)**

EPA published a guidance document entitled "Methodology for Early De Minimis Settlements under CERCLA Section 122(g)(1)(A)." This guidance document identifies a methodology whereby de minimis parties can resolve their liability early in the response process, without the need for extensive negotiation. This guidance is effective immediately.

"Proposed Consent Decree for Cannons Engineering Corporation"
July 2, 1992 (57 FR 29535)

The proposed Consent Decree in United States v. Cannons Engineering Corporation was lodged with the United States District Court for the District of Massachusetts on June 17, 1992. The proposed Consent Decree resolves claims against the defendant for contamination at four Superfund sites. Comments will be accepted for 30 days from the date of this notice.

"Proposed Consent Decree for Modern Trash Removal of York, Inc."
July 2, 1992 (57 FR 29535)

The proposed Consent Decree in United States v. Modern Trash Removal of York, Inc., was lodged with the United States District Court for the Middle District of Pennsylvania on June 16, 1992. The proposed Consent Decree would settle allegations that the defendant is liable for response costs at the Modern Landfill Superfund Site. Comments will be accepted for 30 days from the date of this notice.

"Proposed Consent Decree for Re-Solve, Inc."**July 2, 1992 (57 FR 29535)**

The proposed Consent Decree in United States v. Re-Solve, Inc., was lodged with the United States District Court of Massachusetts on June 18, 1992. The proposed Consent Decree requires eight generators, who arranged to have hazardous substances sent to Re-Solve Inc., Superfund site, pay the United States approximately \$1.2 million. Comments will be accepted for 30 days from the date of this notice.

"Lodging of Consent Decree with the Union Electric Company"**July 14, 1992 (57 FR 31211)**

A proposed Consent Decree in United States v. Union Electric Company was lodged with the United States District Court for the Eastern District of Missouri, Southeastern Division, on June 29, 1992. The settling parties have agreed to conduct a soil remedial action and a groundwater investigation at the Missouri Electric Works, Inc., Superfund Site and to reimburse the United States for all future response costs associated with such work. Comments will be accepted for 30 days.

"Lodging of Consent Decree with U.T. Alexander, et al."**July 16, 1992 (57 FR 31532)**

The Consent Decree in United States v. U.T. Alexandria, et al., was lodged with the United States District Court for the Southern District of Texas on July 2, 1992. The Consent Decree seeks injunctive relief and reimbursement of costs incurred by the United States in responding to the release or threat of release of a hazardous substance from the Motco (formerly Petro Processors) Site in Lamarque, Texas.

**"Update of the Federal Agency
Hazardous Waste Compliance Docket
Pursuant to CERCLA §120(c)"
July 17, 1992 (57 FR 31758)**

This notice provides the sixth update of the Federal Agency Hazardous Waste Compliance Docket pursuant to CERCLA §120(c). The docket contains certain information regarding Federal facilities that manage hazardous waste or from which hazardous substances may be or have been released.

**"Proposed Administrative Settlement
for Alaskan Battery Enterprises Site
in Fairbanks, Alaska"
July 22, 1992 (57 FR 32542)**

EPA agreed to resolve past and estimated future liabilities of 27 de minimis parties for costs associated with the Alaskan Battery Enterprises Site in Fairbanks, Alaska. Comments will be accepted on or before August 21, 1992.

**"Consent Decree for Allied Products
Corp."
July 27, 1992 (57 FR 33210)**

A consent decree in United States v. Allied Products Corp. was lodged with the United States District Court for Northern District of Iowa on July 14, 1992. As part of the settlement in this case, Allied Products Corp. will perform a remedial action at the site, and will reimburse the United States for costs incurred subsequent to the date of entry of the Consent Decree. Comments will be accepted for 30 days from July 27, 1992.

**"Consent Decree for United States of
America v. Automation Components,
Inc."
July 27, 1992 (57 FR 33210)**

This notice announces that three proposed consent decrees in United States v. Automation Components, Inc., were lodged with the United States District Court for the District of New Jersey. Comments will be accepted for 30 days from July 27, 1992.

**"Settlement Agreement with National
Wildlife Federal"
July 27, 1992 (57 FR 33211)**

This notice announces that the United States District Court for the District of Massachusetts approved and entered a settlement agreement between the United States and Massachusetts, and Intervenor National Wildlife Federal in United States v. AVX Corporation. The provisions of the agreement seek to settle natural resource damages claims under §107 of CERCLA.

**"Consent Decree for Cannons
Engineering Corporation"
July 29, 1992 (57 FR 33522)**

On July 20, 1992, a proposed consent decree in United States v. Cannons Engineering Corporation was lodged with the United States District Court for the District of Massachusetts. The decree resolves claims of the United States against Scott Brass, Inc., for contamination at three Superfund sites. Comments will be accepted for 30 days from July 29, 1992.

**"Proposed Administrative Settlement
for the Wilson Drain Site"
July 30, 1992 (57 FR 33727)**

EPA is proposing to enter into a cost recovery settlement agreement under §122(h)(1) of CERCLA. The proposed settlement is intended to resolve the liability of two parties for response costs incurred at the Wilson Drain Site in Westland, Michigan. EPA will accept comments on or before August 31, 1992.

**"Proposed Administrative Settlement
for De Minimis Parties at the Tonalli
Corporation Superfund Site"
July 31, 1992 (57 FR 33959)**

EPA is proposing to enter into a de minimis settlement pursuant to CERCLA §122(g)(4). This proposed settlement is intended to resolve the liabilities of 170 de minimis parties for response costs incurred and to be incurred at the Tonalli Corporation Superfund Site in Nesquehoning, Pennsylvania. EPA will accept comments on or before August 31, 1992.

**EMERGENCY PLANNING AND
COMMUNITY RIGHT-TO-KNOW**

**"Initial List of Categories of Sources
Under §112(c)(1) of the Clean Air Act
Amendments of 1990"
July 16, 1992 (57 FR 31576)**

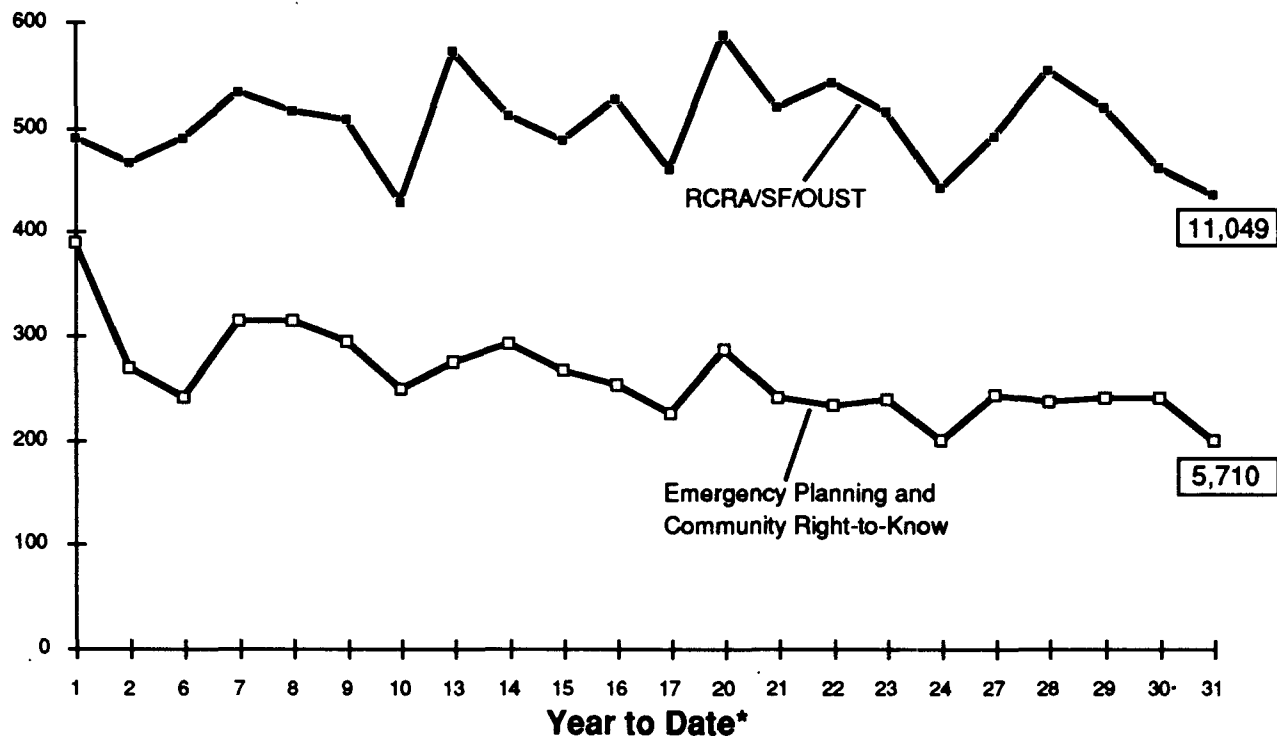
EPA published an initial list of categories of major and area sources of hazardous air pollutants (HAPs), as required under §112(c)(1) of the Clean Air Act, as amended, in 1990.



CALL ANALYSES

CALLS ANSWERED BY HOTLINE

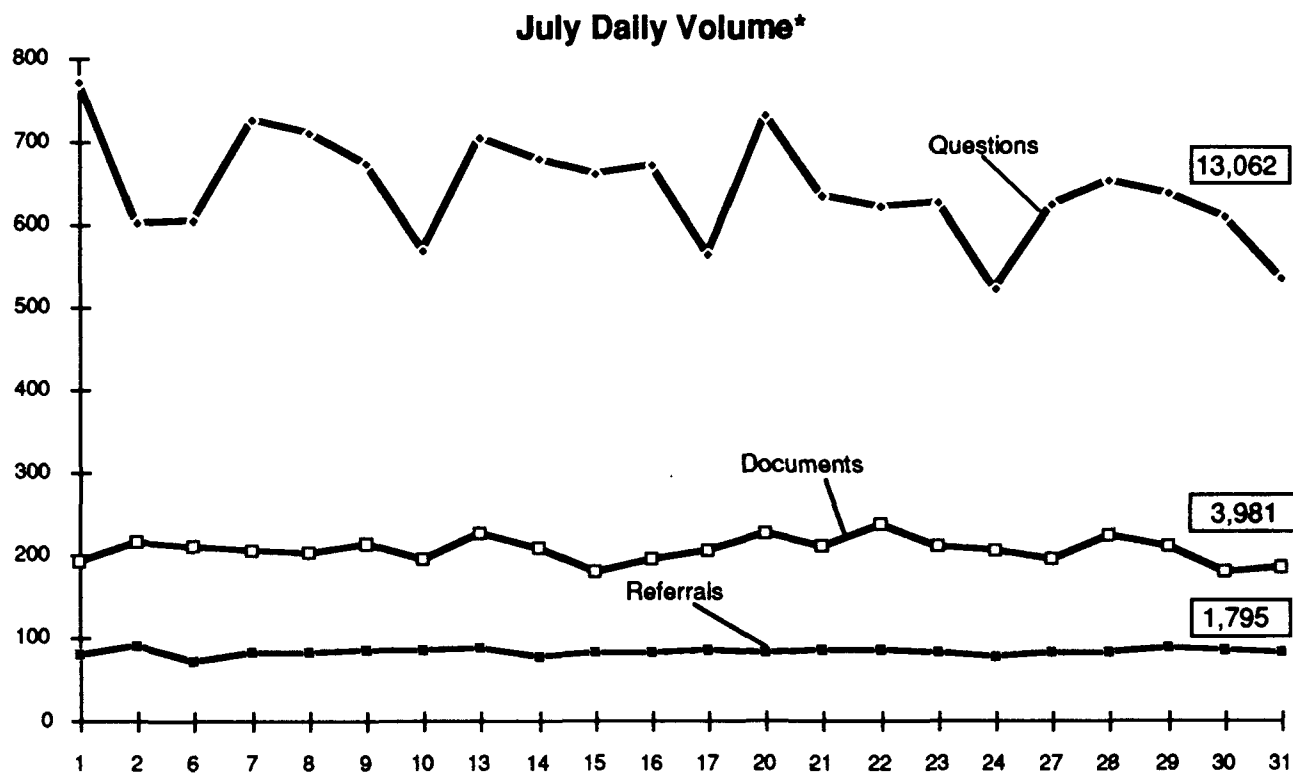
July Daily Volume*



RCRA/SF/OUST			EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW		
	Month	Cumulative		Month	Cumulative
January	11,534		January	3,583	
February	11,476	23,010	February	4,943	8,526
March	12,333	35,343	March	3,159	11,685
April	11,082	46,425	April	3,012	14,697
May	13,586	60,011	May	4,131	18,828
June	11,837	71,848	June	9,505	28,333
July	11,049	82,897	July	5,710	34,043

*All calls answered by the Call Management System.

CALLS ANSWERED BY TYPE

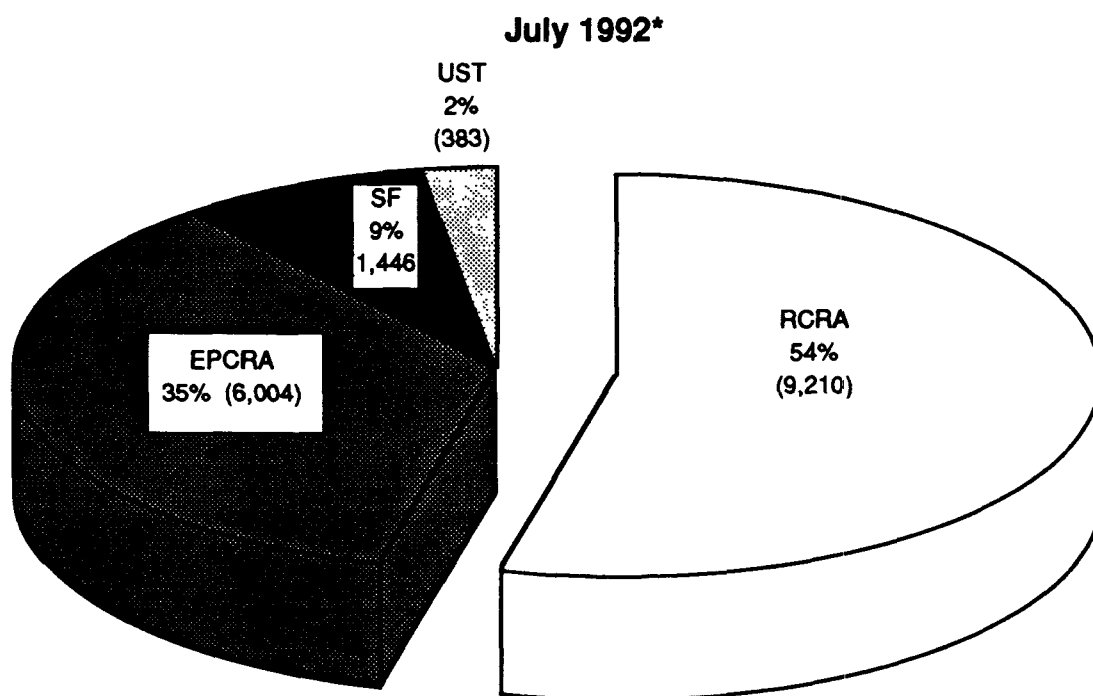


Year to Date*

Questions			Documents			Referrals		
	Month	Cumulative		Month	Cumulative		Month	Cumulative
January	11,930		January	4,276		January	1,505	
February	12,338	24,268	February	3,822	8,098	February	1,831	3,336
March	11,755	36,023	March	4,152	12,250	March	1,390	4,726
April	10,734	46,757	April	3,899	16,149	April	1,144	5,870
May	12,885	59,642	May	5,625	21,774	May	1,396	7,266
June	17,092	76,734	June	4,802	26,576	June	1,535	8,801
July	13,062	89,796	July	3,981	30,557	July	1,795	10,596

* All calls answered by the Call Management System. A single call may result in multiple questions combined with document requests and referrals.

CALLS ANSWERED BY PROGRAM AREA



*Based on 17,043 requests and excludes 1,795 referrals made from both Hotlines.

Year to Date**

	RCRA		Superfund		OUST		Emergency Planning & Community Right-to-Know	
	Month	Cumulative	Month	Cumulative	Month	Cumulative	Month	Cumulative
January	60% (9,564)		12% (2,065)		4% (640)		24% (3,937)	
February	55% (8,860)	57% (18,424)	11% (1,823)	12% (3,888)	3% (483)	3% (1,123)	31% (14,994)	28% (8,931)
March	66% (10,410)	60% (28,834)	10% (1,638)	12% (5,526)	3% (488)	3% (1,611)	21% (3,371)	25% (12,302)
April	61% (8,913)	60% (37,747)	13% (1,957)	12% (7,483)	5% (665)	4% (2,276)	21% (3,098)	24% (15,400)
May	66% (12,134)	62% (49,881)	8% (1,555)	11% (9,038)	3% (551)	3% (2,827)	23% (4,270)	24% (19,670)
June	45% (9,878)	57% (59,759)	8% (1,773)	11% (10,811)	2% (452)	3% (3,279)	45% (9,791)	29% (29,461)
July	54% (9,210)	57% (68,969)	9% (1,446)	10% (12,257)	2% (383)	3% (3,662)	35% (6,004)	30% (35,465)

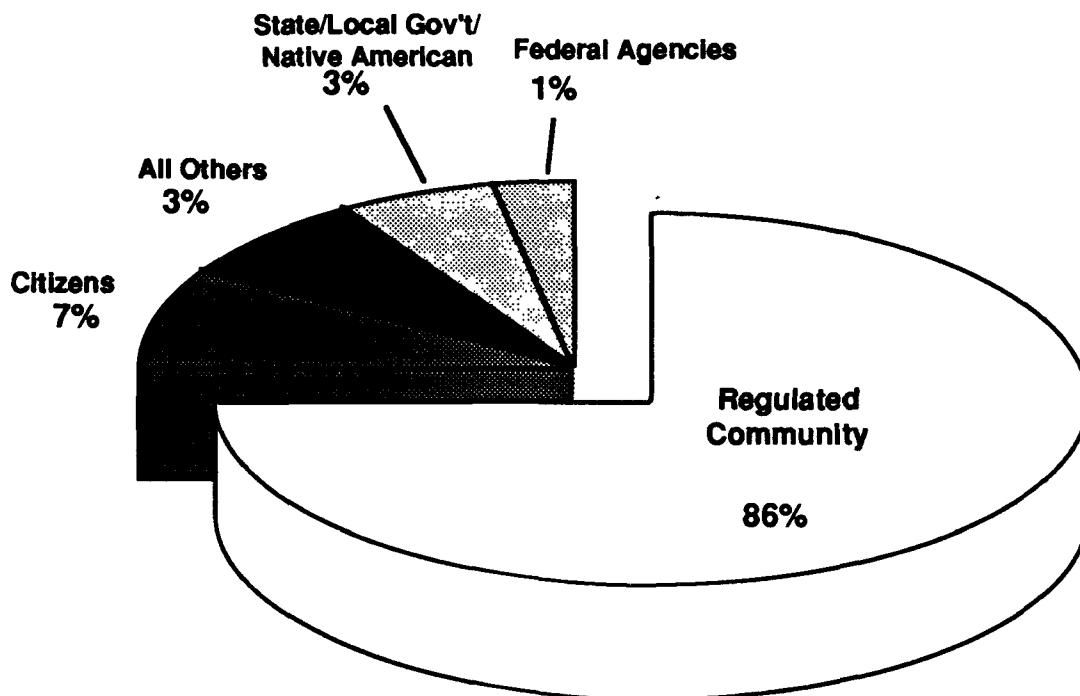
** Based on 120,353 requests and excludes 10,596 referrals made from both Hotlines

CALLER PROFILE

RCRA/SF/OUST Hotline

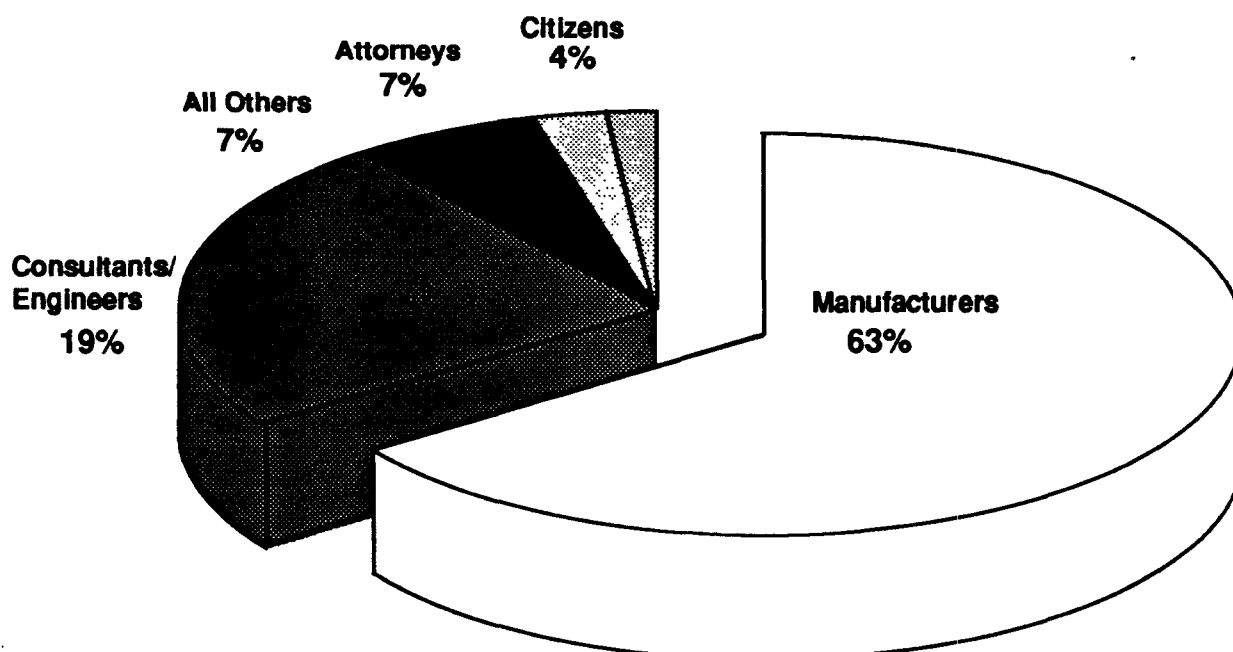
Regulated Community	8,219
Citizens	626
State & Local Gov't./Native American	243
Federal Agencies	134
Educational Institutions	104
EPA	115
Other	50
Media	13
Interest Groups	40
Congress	2
Referrals	1,495
International	8

TOTAL 11,049



Emergency Planning and Community Right-to-Know Hotline

Manufacturer		Consultants/Engineers	1,013
Food/Tobacco	311	Attorneys	393
Textiles	60	Citizens	227
Apparel	17	All Others	
Lumber & Wood	53	Trade Associations	24
Furniture	62	Public Interest Groups	20
Paper	69	Universities/Academia	32
Printing & Publishing	80	Insurance Companies	0
Chemicals	861	Hospitals	14
Petroleum & Coal	79	State Agencies/SERC	50
Rubber and Plastics	136	Fire Departments	23
Leather	7	EPA	32
Stone, Clay & Glass	76	Local Officials	29
Primary Metals	181	LEPC	22
Fabricated Metals	494	Farmers	0
Machinery (Excluding Electrical)	90	Federal Agencies	37
Electrical&Electronic Equipment	207	Media/Press	19
Transportation Equipment	128	Union/Labor	1
Instruments	55	Distributors	22
Misc. Manufacturing	153	Native Americans	0
Not Able to Determine	272	Laboratories	34
		Misc.	25
Subtotal	3,391	Referrals	300
		International	2
		TOTAL	5,710



HOTLINE TOPICS

RCRA

Special Wastes	
Ash	10
Mining Wastes, Bevill	21
Medical Wastes	287*
Oil and Gas	11
Subtitle C Wastes	
Hazardous Waste Id. (General)	1,802*
Toxicity Characteristic	190
Wood Preserving	34
Listing of Used Oil	531*
Fluff	20
Radioactive Mixed Waste	26
Delisting Petitions	27
Hazardous Waste Recycling	163
Generators	529
Small Quantity Generators	147
Transportation/Transporters	76
TSDFs General	367
TSDFs Siting Facilities	15
TSDFs Capacity	18
TSDFs Treatment	89
TSDFs Burning	69
TSDFs Storage	84
TSDFs Disposal	73
Land Disposal Restrictions	750*
Permits and Permitting	210
Corrective Action	146
Financial Liability/Enforcement	63
Test Methods	294
Health Effects	24
Waste Min. Pollution Prevention	56
State Programs	70
Hazardous Waste Data	47
Household Hazardous Waste	249
Subtitle D (General)	193
Siting Facilities	24
Combustion	16
Industrial Waste	0
Composting	5
Source Reduction/Poll. Prev.	55
Grants & Financing	4
Procurement (General)	7
Building Insulation	0
Cement & Products with Fly Ash	3
Paper & Paper Products	3
Re-refined Lubricating Oil	4
Retread Tires	3

Solid Waste Recycling (General)	303*
Aluminum	5
Batteries	11
Glass	2
Paper	14
Plastics	24
Tires	83
Used Oil	68
Markets (General)	35
Aluminum	0
Batteries	3
Compost	0
Glass	0
Paper	3
Plastics	6
Tires	23
Used Oil	7
RCRA General	1,808*
TOTAL	9,210¹

¹ Includes 2,165 RCRA document requests.

SUPERFUND

General/Misc.	176
Access & Information Gathering	13
Administrative Record	4
Allocations from Fund	4
ARARs	43
CERCLIS	115
Citizen Suits	7
Cleanup Costs	14
Cleanup Standards	25
Community Relations	14
Contract Lab Program (CLP)	11
Contractor Indemnification	4
Contracts	10
Definitions	7
Emergency Response	5
Enforcement	11
Exposure Assess./Risk Assess.	29
Federal Facilities	10
Fund Balancing	5
Grants	4
Hazardous Substances	116*
Health/Toxics	5
HRS	31

* Hot topics for this month.

■ Topics are calculated as the summation of all questions received by the Hotline. A single call may result in multiple questions.

Liability	82*
Mandatory Schedules	0
Natural Resource Damages	5
NBARs	0
NCP	34
Notification	25
NPL	155*
Off Site Policy	2
On Site Policy	3
OSHA	4
PA/SI	12
PRPs	27
Public Participation	0
RCRA Interface	9
RD/RA	12
Remedial	26
Removal	5
Response	7
RI/FS	18
ROD	34
RQ	182*
SARA Interface	38
Settlements	27
SITE Program	6
State Participation	3
State Program	3
Taxes	9
Title III/Right-to-Know	55
TOTAL	1,446²

²Includes 355 Superfund document requests.

OUST

General/Misc.	158
Applicability/Definitions	29
Regulated Substances	24
Standards for New Tank Systems	17
Tank Standards and Upgrading	5
Operating Requirements	10
Release Detection	26
Release Reporting & Investigation	12
Corrective Action for USTs	11
Out-of-Service/Closure	17
Financial Responsibility	51
State Programs	9
Liability/Enforcement	10
LUST Trust Fund	4
TOTAL	383³

³Includes 133 OUST document requests.

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW

Title III General	580
§301-3 Emergency Planning	
General	221
SERCs/LEPC	8
Notification	9
Mixtures	0
Extremely Hazardous Substances	19
Delisting EHS	0
Exemptions	3
§304:	
General	28
Notification Requirements	14
Reportable Quantities	13
RQs vs. TPQs	4
Transportation	0
Exemptions	5
§311/312:	
General	188
MSDS Reporting Requirements	167
Tier I/II Regulations	32
Thresholds	40
OSHA Expansion	0
Hazard Categories	4
Mixtures	5
Exemptions	7

§313:	
General	1,904*
Form R	1,732*
Thresholds	149
Phase I	50
Phase II	12
Phase III	4
Pollution Prevention	570*
NONs/NOTEs	6
Petitions	10
Health Effects	1
Database	29
Exemptions	66

Training:	
General	1
§305 Training Grants	0
§305 Emergency Systems Review	0
§126 (SARA) Training Regulations	0

* Hot topics for this month.

■ Topics are calculated as the summation of all questions received by the Hotline. A single call may result in multiple questions.

General:			
CEPP Interim Guide	0	Trade Secrets	2
Chemical Profile	2	Enforcement	111
NRT-1	0	Liability	3
Hazard Analysis	1	TOTAL	6,004³
Risk Communication	0	⁴ Includes 1,328 Emergency Planning Community	
Title III Workshops	0	Right-To-Know document requests.	
Information Management	0	<div>TOTAL HOTLINE QUESTIONS, DOCUMENT REQUESTS AND REFERRALS: 18,838</div>	
Prevention ARIP	0		
Other	4		

22 ■ Topics are calculated as the summation of all questions received by the Hotline. A single call may result in multiple questions.

SEP 25 1992

LIST OF ADDRESSEES:

Ed Abrams, OS-332	Jim Hayden, DEC-Alaska	Chae Pak, EPA-Reg. 10
Jennifer Anderson, EPA-Reg. 7	Betty Hollowell, DOE-TX	Myra Perez, EPA-Houston
Kate Anderson, OS-520	Hinton Howard, EPA-Reg. 5	Mark Phillips, EPA-Reg. 3
Irene Atney-Yuridin, DOE-NY	Henry Hudson, EPA-Reg. 4	Dan Powell, OS-110W
Jennifer Barker, OS-305	Susan Hutcherson, EPA-Reg. 10	Steve Provant, EPA-Boise, ID
Beth Behrens, EPA-NEIC	Tom Jacobs, EPA-Reg. 5	Jim Radle, Jr., EPA-Reg. 9
Kathy Bishop, OS-210	Carol Jacobson OS-220	John Riley, OS-210
John Bosky, EPA-Kansas City	Harriet L. Jones, EPA-Reg. 7	Barbara Roth, OS-305
Brett Bowhan, DOE-Idaho	Kathy Jones, OS-210	Debbie Rutherford, OS-420WF
Susan Bromm, OS-500	Tim Jones, OS-301	William Sanjour, OS-330
Rick Brandes, OS-330	Gary Jones, LE-134S	Sam Sasnett, TS-779
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Nancy Browne, OS-520	Tony Jover, OS-120	Jay Silberman, US Coast Guard
Kathy Bruniske, OS-305	Robert Kayser, OS-333	Stergios Spanos, NH DES
Karen Burgan, OS-110	Jeff Kelly, OS-520	Elaine Stanley, OS-500
Heather Burns, Hotline	Mitch Kidwell, OS-332	Kathie Stein, LE-134S
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Sabrina Callihan, DOE	Jerry Killiane, GAO	Kathy Teemer, Hotline
Carol Carbone, EPA-Reg. 1	William Kline, OS-322W	Beverly Thomas, OS-420WF
Sonia Chambers, EPA-Reg. 5	Robert Knox, OS-130	Jim Thompson, OS-520
Richard Clarizio, EPA-Reg. 5	Dan Kovacks, Hotline	Linda Thompson, LE-134S
Don R. Clay, OS-100	Walter Kovalick, OS-110	Robert Thompson, A-104
Jerry Clifford, EPA-Reg. 9	Judy Lebowich, WH-550E	Steve Torok, EPA-Juneau, AK
Bill Cosgrove, EPA-Reg. 4	Henry Longest, OS-100	Harriett Tregoning, PM-220
Clinton Cox, EPA-Alabama	Jim Loomis, FL ERC	Betti VanEpps, OS-240
Becky Cuthbertson, OS-320W	Sylvia Lowrance, OS-300	David Van Slyke, LE-134S
Elaine Davies, OS-100	Julia Lebee, EPA-Reg. 4	Barbara Wagner, EPA-Reg. 8
Jeffery Denit, OS-300	Tom Lueders, EPA-Reg. 5	David Watson, PM-214F
Lynn DePont, OS-305	James Makris, OS-120	Howard Wilson, PM-273
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Terry Escarda, CA Dept. of Health	Tami McNamara, TS-779	
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John Gilbert, EPA-Cinn.	Kim Mercer, EPA-Reg. 9	
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John Gorman, EPA-Reg. 2	Beverly Negri, EPA-Reg. 6	
Cheryl Graham, LE-132S	Susan O'Keefe, LE-134S	

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OSW Deputy Division Directors

OSW Branch Chiefs

Hazardous Waste Management Division Directors,

Regions I-X

Hazardous Waste Management Branch Chiefs, Regions I-X

Regional Counsel, Regions I-X

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