

MONTHLY HOTLINE REPORT

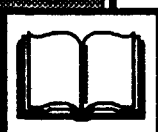
May 1995

RCRA/UST, Superfund, and EPCRA



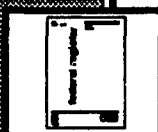
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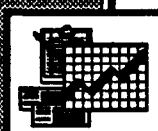
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RCRA/UST, Superfund, and EPCRA

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3 DAYS ONLY



HOTLINE QUESTIONS AND ANSWERS

RCRA

1. Solid Waste Determination for Spilled Commercial Chemical Products

According to 40 CFR §261.2, Table 1, hazardous commercial chemical products, when recycled, are exempt from RCRA because they are not solid wastes. If a manufacturer spills a commercial chemical product into the soil and intends to reclaim the spill residue, is the spill residue exempt from RCRA standards?

The intent to recycle a commercial chemical product spill residue does not exempt the material from RCRA jurisdiction. In fact, EPA has stated that contaminated soils and other cleanup residues generally are solid wastes because of the difficulty associated with recycling wastes contained within environmental media (54 FR 48494; November 22, 1989). Sometimes, however, a spill residue can be returned to a process or otherwise put to use, and thus remain exempt from RCRA standards.

In order to demonstrate that a spill residue is not a solid waste, the generator has the burden of proving that legitimate recycling will take place. The Agency has adopted objective considerations to evaluate a generator's claim that a spilled product will be legitimately recycled. The length of time the spill residue has existed is one such consideration. In order to prove that legitimate recycling will occur, a generator

may also show that recycling has already begun, the material is valuable, the material can feasibly be recycled and/or the company has recycled such material in the past (55 FR 22671; June 1, 1990).

In the absence of strong, objective indicators of recycling or intent to recycle a spill residue, "the materials are solid wastes immediately upon being spilled because they have been abandoned" (54 FR 48494; November 22, 1989), and must be managed in accordance with all applicable RCRA standards.

2. Restaurant Waste and the Household Waste Exclusion (§261.4(b)(1))

Are restaurant wastes excluded from RCRA Subtitle C regulation as household wastes per 40 CFR §261.4(b)(1)?

Wastes produced by restaurants are not household wastes and therefore will not be excluded from RCRA hazardous waste regulation. The applicability of the household waste exclusion is based on two conditions: the place of generation and the type of waste generated. Household waste must be generated on the premises of a temporary or permanent residence and be comprised primarily of materials generated by consumers in their homes. Restaurants do not serve as temporary or permanent residences for individuals and therefore do not meet both of the criteria for household waste and will not qualify for the household waste exclusion (49

FR 44978; November 13, 1984). If however, the restaurant is part of temporary or permanent residence, the waste generated would qualify for the household waste exclusion as it would be generated on the premises of a temporary or permanent residence and be comprised primarily of materials generated by consumers in their homes.

UST

3. UST Financial Responsibility: Classification as a State or Local Government

The underground storage tank (UST) regulations in 40 CFR Part 280 require that owners or operators of regulated petroleum UST systems demonstrate financial responsibility. State and federal government entities are specifically exempt from the federal UST financial responsibility requirements (§280.90(c)). Does a public transportation company, created by a state but whose debts and liabilities are not those of a state, qualify as a state government entity exempt from the federal UST financial responsibility requirements?

The public transportation company referenced above does not qualify as a state entity under the federal UST regulations. Only state and federal government entities, whose debts and liabilities are the debts and liabilities of a state or the United States, are exempt from UST financial responsibility requirements (§280.90(c)). This company would not be considered a state entity exempt from UST financial responsibility because the public transportation company's debts and liabilities are not those of a state.

Although this company does not qualify as a state entity, it may be considered a local

government entity. Local government entities are created under state law and include general purpose local governments and special purpose local government entities. A special purpose local government entity is defined as a government entity created to perform a single or limited range of functions. A public transportation company is a typical example of a special purpose local government entity, but whether or not a particular public transportation company qualifies as a local government is ultimately a matter of state law (40 CFR 280.92 (definition of local government) and 58 FR 9030; February 18, 1993). Therefore, if the public transportation company cited above qualifies as a local government under applicable state law, it can use the local government financial responsibility mechanisms (§280.104 through §280.107), as well as the standard financial responsibility mechanisms (§280.95 through §280.103) in order to satisfy the federal UST financial responsibility requirements (Subpart H of 40 CFR Part 280).

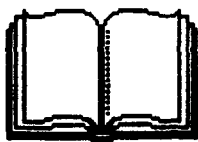
CERCLA

4. No Further Response Action Planned (NFRAP) Sites and the CERCLA Information System (CERCLIS)

The CERCLA Information System (CERCLIS) is the database and management system used by EPA to track activities at sites considered for cleanup under CERCLA. CERCLIS also contains information about sites that, according to EPA, do not warrant further action in the site evaluation process. These sites are given a No Further Response Action Planned (NFRAP) designation in CERCLIS. Under the definition of CERCLIS, a NFRAP designation indicates that no

additional federal steps under CERCLA will be taken at the site unless information is found indicating that further action is necessary (40 CFR§300.5). Can a site with a NFRAP designation ever be removed from CERCLIS?

Yes. Even though sites with a NFRAP designation are not undergoing any response action, EPA has received comments stating that their inclusion in the CERCLIS database has caused a negative stigma to be associated with the sites. This unintended stigma has resulted in the disincentive to purchase, improve, redevelop, and revitalize NFRAP sites. As a result of the problems associated with the stigma, EPA published a final rule in the Federal Register on March 29, 1995, which amended the definition of CERCLIS to specifically exclude NFRAP sites from the CERCLIS database (60 FR 16053). Previously, the definition of CERCLIS stipulated that sites remain in the database after completion of evaluations in order to record the actions that were taken and to preclude the possibility of repetition. The amended definition states that NFRAP sites will be placed in a separate archival database which serves as a mechanism to record activities taken at NFRAP sites and prevent duplicative efforts. This final rule does not affect any EPA enforcement decisions, and sites in the NFRAP database will still not undergo any enforcement action unless new information is found that would alter ~~this~~ determination.



NEW PUBLICATIONS

HOW TO ORDER ...

NTIS Publications are available by calling (703) 487-4650, or writing NTIS, 5285 Port Royal Road, Springfield, VA 22161. Use the NTIS Order Number listed under the document.
EPA Publications are available through the Hotline. Use the EPA Order Number listed under the document.
RCRA/UST, Superfund, and EPCRA
National Toll-Free No.: 800-424-9346
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RCRA

TITLE: "Cost and Economic Impact Analysis of the Proposed Conditionally Exempt Small Quantity Generator (CESQG) Rule"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB95-208 948

This report presents a cost and economic impact analysis for proposed revisions to the Criteria for Classification of Solid Waste Disposal Facilities and Practices (40 CFR Part 257) and Identification and Listing of Hazardous Waste (40 CFR Part 261). EPA has estimated the incremental costs of a proposed rule and examined its proposed effects on small businesses. This report also discusses the methodology and results of the cost analysis, as well as its limitations.

TITLE: "Life Cycle Assessment: Public Data Sources for the LCA Practitioner"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB95-191 227

The life-cycle assessment is a systematic method for identifying, evaluating, and minimizing the environmental consequences of resource usage and environmental releases associated with a product or process. This document provides life-cycle assessment

practitioners (LCAs) with descriptions of non-bibliographic databases which may be used as resources when preparing LCAs. The document lists how the information for each database is obtained, options for sorting the data, size of the database, system type, and how it is accessible. The document also references on-going studies and foreign databases which are useful.

TITLE: "Damage Cases: Construction and Demolition Waste Landfills"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB95-208 922

This report presents information on environmental contamination that has resulted from the operation of construction and demolition (C & D) debris landfills which may receive wastes from conditionally exempt small quantity generators (CESQGs). The report was developed to present the findings of a study which was done to determine whether the disposal of C & D debris in landfills has led to the contamination of ground water, surface water, or other ecological resources. The report also discusses whether these environmental damages can be attributed to specific aspects of the facility such as the types of waste received, design and operating practices, and location.

TITLE: "Construction and Demolition Waste Landfills"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB95-208 906

This document contains information regarding landfills that receive materials generated from the construction or destruction of buildings, roads, and bridges. Specifically, it addresses the composition of construction and demolition waste, the quality of the leachate from construction and demolition waste landfills, and an overview of the state regulations applicable to these landfills. It also contains a list of documents which provide additional information regarding management of construction and demolition wastes.

TITLE: "List of Industrial Waste Landfills and Construction and Demolition Waste Landfills"

AVAILABILITY: NTIS

NTIS ORDER NO.: PB95-208 914

This document contains information about the number of industrial waste landfills and construction and demolition waste landfills that are active in the United States. It provides a count of the landfills for each state, and the name, address, and telephone number of the contact who provided information about the facility. The document also contains a list of landfills in each state sorted by county, city, and facility name.

TITLE: "Environmental Fact Sheet: EPA Issues Comprehensive Procurement Guideline"

AVAILABILITY: Hotline

EPA ORDER NO.: EPA530-F-95-010

This fact sheet provides an overview of the "Comprehensive Guideline for Procurement of Products Containing Recovered Materials" (CPG), which was published in the Federal

Register on May 1, 1995 (60 FR 21370), and its accompanying notice entitled "Recovered Materials Advisory Notice" (RMAN) (60 FR 21386). The CPG designates 24 recycled-content products in seven product categories for which EPA advises federal procuring agencies to develop affirmative procurement programs. The RMAN provides recommendations for purchasing products designated in the CPG.

TITLE: "Environmental Fact Sheet: Final Streamlined Regulations for Collecting and Managing Universal Wastes"

AVAILABILITY: Hotline

EPA ORDER NO.: EPA530-F-95-011

This fact sheet provides background information and an outline of the key points of the Universal Waste Rule which was published in the Federal Register on May 11, 1995 (60 FR 25492). The final rule promulgates streamlined hazardous waste management regulations governing the collection and management of certain widely generated wastes referred to as "universal wastes" which include certain batteries, pesticides, and mercury-containing thermostats.

UST

TITLE: "General Information on Underground Storage Tanks"

AVAILABILITY: Hotline

EPA ORDER NO.: EPA510-F-94-014

This brochure contains a list of common underground storage tank publications and videos. The brochure includes ordering information pertaining to these documents.

EPCRA**TITLE:** "LandView; Fact Sheet"**AVAILABILITY:** Hotline**EPA ORDER NO.:** EPA550-F-95-003

This fact sheet provides an overview of LandView and LandView II which are software tools that can be used to help local communities evaluate environmental risks and identify areas of concern for environmental justice. The software tools were developed through a joint venture between EPA, the Bureau of the Census, and the National Oceanic and Atmospheric Administration (NOAA). LandView includes files detailing the locations of roads, rivers, railroads, and boundaries of states. LandView II expands upon this information by providing files from EPA databases such as the Biennial Reporting System (BRS), the Comprehensive Environmental Response, Compensation, and Liability System (CERCLIS), and the Toxic Release Inventory (TRI), in order to provide a detailed network of the country's physical features and related demographic information.

OTHER**TITLE:** "Monthly Hotline Report"**AVAILABILITY:** NTIS**NTIS ORDER NO.:** See below

Yearly Subscription PB95-922 400
530-R-95-002

January 1995 PB95-922 401
530-R-95-002a

February 1995 PB95-922 402
530-R-95-002b

March 1995 PB95-922 403
530-R-95-002c

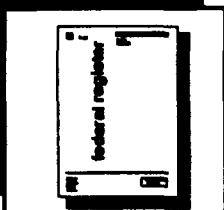
April 1995 PB95-922 404
530-R-95-002d

May 1995 PB95-922 405
530-R-95-002e

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

The Monthly Hotline Report Questions and Answers are also available for downloading at no charge from CLU-IN at (301) 589-8366.

The complete text of the 1993, 1994, and 1995 Monthly Hotline Reports may be accessed via the Internet using a gopher. From the EPA Core Server at gopher.epa.gov, follow this pathway: EPA Offices & Regions --> Office of Solid Waste & Emergency Response --> OSW (RCRA) --> RCRA: General --> RCRA/UST, Superfund & EPCRA Hotline Reports.



FEDERAL REGISTERS

FINAL RULES

RCRA

**"Comprehensive Guideline for
Procurement of Products Containing
Recovered Materials"**
May 1, 1995 (60 FR 21370)

Section 6002 of RCRA requires EPA to designate items that are or can be produced with recovered materials and to recommend practices for the procurement of designated items by procuring agencies. Once EPA designates an item, any procuring agency, when using appropriated federal funds to procure that item, shall purchase it with the highest percentage of recovered material practicable. EPA is promulgating a final regulation designating 19 new items that are or can be made with recovered materials. The effective date of this rule is May 1, 1995.

**"Tennessee; Final Authorization of State
Hazardous Waste Management
Program Revisions"**
May 8, 1995 (60 FR 22525)

EPA intends to approve revisions to Tennessee's hazardous waste program under RCRA. Final authorization will be effective July 7, 1995, unless EPA publishes a prior action withdrawing this immediate final rule. Comments must be received on or before June 7, 1995.

**"Georgia; Final Authorization of State
Hazardous Waste Management
Program Revisions"**
May 10, 1995 (60 FR 24790)

EPA intends to approve revisions to Georgia's hazardous waste program under RCRA. Final authorization will be effective July 10, 1995, unless EPA publishes a prior action withdrawing this immediate final rule. Comments must be received on or before July 9, 1995.

**"Hazardous Waste Management System;
Universal Waste Rule"**
May 11, 1995 (60 FR 25492)

EPA is promulgating streamlined management regulations for certain widely generated wastes identified as universal wastes. Specifically, the rule applies to hazardous waste batteries, hazardous waste pesticides that are recalled or that are sent to a collection program, and certain mercury-containing hazardous waste thermostats. By streamlining the requirements for handlers and transporters of the waste, the Agency hopes to facilitate collection programs and to remove these widely generated wastes from municipal waste streams. At the same time, the regulations assure that wastes subject to this system will go to appropriate treatment, recycling, or disposal facilities which are subject to full Subtitle C controls. The rule also contains a petition process by which other wastes may be added to the system. Because this rule is deemed to be less stringent than the current regulations, states are not required to adopt the provisions of Part 273. However, EPA strongly encourages states to adopt this rule. The

FINAL RULES

effective date of this rule in unauthorized states is May 11, 1995.

"Hazardous Waste TSDFs and Generators; Organic Air Emissions Standards for Tanks, Surface Impoundments, and Containers"
May 19, 1995 (60 FR 26828)

On December 6, 1995 (59 FR 62896), EPA promulgated air standards in order to reduce organic emissions from hazardous waste management activities. Under the standards, air emissions controls must be used for tanks, surface impoundments, and containers. These standards were originally scheduled to be effective on June 5, 1995. Since promulgation, however, EPA has become aware that certain provisions of the final standards may require clarification and plans to publish a subsequent Federal Register notice to address these provisions. To ensure that all facilities have time to make alterations in their compliance plan prior to the effective date of the standards, EPA is postponing the effective date of the rule until December 6, 1995.

RCRA/CERCLA

"Hazardous Waste Identification and Listing; Carbamate Production"
May 12, 1995 (60 FR 25619)

EPA finalized its March 1, 1994 (59 FR 9808), proposed rule to list as hazardous six wastes generated during the production of carbamate chemicals on February 9, 1995 (60 FR 7824). In that rule, the Agency added 58 chemicals to the list of commercial chemical products in §261.33 and added these newly listed chemicals to the CERCLA list of hazardous substances in §302.4. EPA has corrected minor typographical and omission errors in the listing of these chemicals

as well as in the listing of their reportable quantities on April 17, 1995 (60 FR 19165). The Agency is correcting a typographical error and an omission in the April 17, 1995, correction notice. The effective date of this rule is August 9, 1995.

CERCLA

"National Priorities List; Kenmark Textile Corporation Site"
May 1, 1995 (60 FR 21047)

EPA announced the deletion of the Kenmark Textile Corporation Site, located in Farmingdale, New York, from the National Priorities List. The Agency published a notice of its intent to delete the site on December 15, 1994 (59 FR 64644). EPA and the State of New York determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment. The effective date of this action is May 31, 1995.

"National Priorities List; United States Army Fort Lewis Landfill No. 5"
May 22, 1995 (60 FR 27041)

EPA announced the deletion of the United States Army Fort Lewis Landfill No. 5, located in Pierce County, Washington, from the National Priorities List. The Agency published a notice of its intent to delete the site on March 27, 1995 (60 FR 15737). EPA and the State of Washington determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment. The effective date of this action is May 22, 1995.

"National Priorities List; Hamilton Island Site"**May 25, 1995 (60 FR 27697)**

EPA announced the deletion of the Hamilton Island Site, located in Skamania County, Washington, from the National Priorities List. The Agency published a notice of its intent to delete the site on April 12, 1995 (60 FR 18565). EPA and the State of Washington determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment. The effective date of this action is May 25, 1995.

"National Priorities List; Southern Shipbuilding Site"**May 26, 1995 (60 FR 27896)**

EPA announced the addition of the Southern Shipbuilding Site, located in Slidell, Louisiana, to the National Priorities List (NPL). The Agency proposed to add the site to the NPL on February 13, 1995 (60 FR 8212). The effective date of this action is June 26, 1995.

PROPOSED RULES**CERCLA****"National Priorities List; Texas Eastern Kosciusko Compressor Station Site; Withdrawal"****May 2, 1995 (60 FR 21491)**

EPA announced its withdrawal of its proposal to add the Texas Eastern Kosciusko Compressor Station Site, located in Mississippi, to the National Priorities List (NPL). EPA proposed to list the site on the NPL on August 23, 1994 (59 FR 43314), but because of the unique circumstances surrounding this site, has determined that such a listing is unnecessary.

This withdrawal is effective May 2, 1995.

However, should conditions change such that placing the site on the NPL would result in a more thorough and timely cleanup, EPA reserves the right to re-propose the site.

"National Priorities List; Alpha Chemical Corporation Site"**May 3, 1995 (60 FR 21786)**

EPA Region IV announced its intent to delete the Alpha Chemical Corporation Site, located in Lakeland, Florida from the National Priorities List. EPA and the State of Florida determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of human health and the environment. Comments concerning the site may be submitted on or before June 2, 1995.

NOTICES**RCRA****"Campo Band of Mission Indians; Final Determination of Full Program"****Adequacy of Tribal Municipal Solid Waste Permit Program"****May 1, 1995 (60 FR 21191)**

Pursuant to RCRA §4005(c)(1)(C), EPA gave notice of a final determination approving the adequacy of the Campo Band of Mission Indians' municipal solid waste landfill permit program. The effective date of this rule is May 1, 1995.

"Recovered Materials Advisory Notice"**May 1, 1995 (60 FR 21386)**

Section 6002 of RCRA requires EPA to designate items that are or can be made with recovered materials and provide recommendations for the procurement of these items when using federal funds for such

NOTICES

purchases. On May 1, 1995 (60 FR 21370), EPA designated 19 new items in its Comprehensive Procurement Guidelines (CPG). EPA is announcing its recommendations to procuring agencies for meeting their §6002 obligations with respect to the new and existing designated items. The effective date of this action is May 1, 1995.

"Waste Analysis Guidance Manual for Facilities that Burn Hazardous Waste; Extension of Comment Period"
May 5, 1995 (60 FR 22389)

EPA has announced the availability of a draft Waste Analysis Guidance for Facilities that Burn Hazardous Waste on April 11, 1995 (60 FR 18402). The guidance manual establishes recommended criteria to properly develop and evaluate RCRA waste analysis plans at combustion facilities. Upon requests from several callers ordering the document, EPA is extending the date for which it will accept public comments from May 11, 1995, until June 2, 1995.

"Permits Improvement Team; Open Meetings"
May 8, 1995 (60 FR 22578)

In July of 1994, EPA Administrator Carol Browner established the Permits Improvement Team (PIT) to reform the permitting process. The PIT held meetings in five different locations in October and November of 1994 to solicit information and opinions as to how permit processes should be reformed. The PIT will hold a second round of national stakeholder meetings to receive input on the draft recommendations of its six task forces from May 16, 1995, to June 2, 1995. The meetings will also include discussion of a draft concept paper on environmental

permitting that is designed to provide an overall direction for EPA's permit reinvention efforts.

"Science Advisory Board; Hazardous Waste Identification Rule Subcommittee; Open Meeting"
May 16, 1995 (60 FR 26032)

The Hazardous Waste Identification Rule (HWIR) Subcommittee of the Science Advisory Board will meet on May 31 - June 1, 1995, in Washington, DC, to continue its review of the Agency's draft multi-media, multi-pathway risk analysis document. The meeting is open to the public, but seating will be limited. The review document, Development of Human Health-Based and Ecological Based Exit Criteria for the Hazardous Waste Identification Project, is available from the RCRA Docket.

"Connecticut; Final Approval of State Underground Storage Tank Program"
May 19, 1995 (60 FR 26859)

EPA has made the tentative decision that Connecticut's application for final approval of its underground storage tank program under Subtitle I of RCRA satisfies all of the requirements necessary to qualify for final approval. As a consequence, EPA intends to grant final approval to the state to operate its program in lieu of the federal program. A public hearing will be held, if it is requested. Comments on Connecticut's final approval must be received on or before June 21, 1995. A public hearing is scheduled for June 21, 1995, in Connecticut, however, EPA reserves the right to cancel the public hearing if significant public interest in a hearing is not communicated to EPA, in writing, on or before June 14, 1995.

NOTICES**"Hazardous Waste Management System;
Land Disposal Restrictions"
May 24, 1995 (60 FR 27523)**

EPA is proposing approval of the application submitted by Great Lakes Chemical Corporation requesting an extension to the June 5, 1995, extended date of the RCRA land disposal restrictions treatment standards applicable to certain hazardous wastewaters at its facility. Great Lakes Chemical Corporation had demonstrated that there is insufficient capacity to manage its waste and has entered into a binding contractual commitment to construct or otherwise provide such capacity. Due to circumstances beyond the corporation's control, such capacity could not reasonably be made available by June 5, 1995. Thus, Great Lakes Chemical Corporation, upon final approval, will be allowed to dispose of certain hazardous wastes without meeting the LDR treatment standards until September 30, 1995. This approved extension becomes effective May 11, 1995.

CERCLA**"Proposed Administrative Settlement;
Tennessee Gas and Pipeline"
May 1, 1995 (60 FR 21210)**

EPA ~~proposed to enter~~ into an administrative settlement ~~under~~ CERCLA §122(h). The proposed Administrative Order on Consent settles claims for past and future removal actions at the Tennessee Gas and Pipeline Site along the Gulf Coast of Texas, Louisiana, and Mississippi and extending along three routes to markets in the midwestern and northeastern United States. The Agency will receive comments for a period of 30 days from the date of publication.

**"Proposed Administrative Settlement;
Performance One, Inc., Site"
May 4, 1995 (60 FR 22064)**

EPA proposed to enter into an administrative settlement under CERCLA §122(h). The proposed settlement requires the settling party to reimburse EPA \$30,000 for response costs incurred in connection with the Performance One, Inc., Superfund Site in Loves Park, Illinois. The Agency will receive comments for a period of 30 days from the date of publication.

**"Correction of Notice of Proposed
Consent Decree; Kane and Lombard
Superfund Site"
May 4, 1995 (60 FR 22075)**

Notice of the lodging of a proposed Consent Decree with the U.S. District Court for the District of Maryland in United States v. Edward Azrael, et al., was published in the Federal Register on April 20, 1995 (60 FR 19772). In that notice, it was mistakenly stated that the settling parties would pay \$375,000 to the United States toward reimbursement of past and future costs incurred in connection with the Kane and Lombard Superfund Site in Baltimore, Maryland. In reality, the terms of the Consent Decree require the settling party to pay \$325,000 to the United States for these costs. DOJ will receive comments relating to the proposed Consent Decree for a period of 30 days from April 20, 1995, the date of the original publication of the notice.

NOTICES**"Proposed First Amendment to Administrative Settlement; Triangle Petroleum Site"****May 11, 1995 (60 FR 25215)**

EPA is announcing an amendment to a proposed administrative settlement concerning the Triangle Petroleum Site, located in Fruita, Colorado. In particular, the Agency and the settling parties wish to amend the agreement to include an additional settling party in the terms of the agreement. The Agency will receive comments for 30 days following the date of publication.

"Urban Revitalization and Brownfields; Public Dialogues"**May 15, 1995 (60 FR 25908)**

EPA and the National Environmental Justice Advisory Council's Waste and Facility Siting Subcommittee will convene a series of public dialogues on environmental justice issues related to urban revitalization and Brownfields. The public dialogues are entitled "Urban Revitalization and Brownfields: Envisioning Healthy and Sustainable Communities" and will take place during June and July in Boston, Philadelphia, Detroit, San Francisco, and Atlanta.

"Proposed Consent Decree; Bluff Road Superfund Site"**May 17, 1995 (60 FR 26457)**

A proposed Partial Consent Decree in United States et al. v. Abbot Laboratories, et al., was lodged with the U.S. District Court for the District of South Carolina on April 28, 1995. Under the proposed Partial Consent Decree, the settling parties will partially fund the remedial design and remedial action costs incurred at the Bluff Road Superfund Site, located in Richland

County, South Carolina. DOJ will receive comments for a period of 30 days from the date of publication.

"Proposed Consent Decree; ACF Industries Site"**May 18, 1995 (60 FR 26740)**

A proposed Consent Decree in United States et al. v. ACF Industries, Inc., was lodged with the U.S. District Court for the Southern District of West Virginia on May 11, 1995. Under the proposed Consent Decree, the settling party will pay \$2,000,000 for costs incurred by the United States in performing certain response actions at the ACF Industries Site located near Eleanor, West Virginia. In addition, the settling party agrees to perform certain response actions at the site. DOJ will receive comments for a period of 30 days from the date of publication.

"Proposed Administrative Settlement; Aqua-Tech Environmental, Inc. Site"**May 19, 1995 (60 FR 26883)**

EPA proposed to enter into a de minimis administrative settlement under CERCLA §122(g). The proposed settlement gives the approximately 135 parties who sent gas cylinders to the Aqua-Tech Environmental, Inc. Site an opportunity to enter into an Administrative Order on Consent to settle claims for past and future response costs at the site. The Agency will receive comments for a period of 30 days from the date of publication.

"Proposed Administrative Settlement; Flint River Bridge Drum Site"**May 19, 1995 (60 FR 26883)**

EPA proposed to enter into an administrative settlement under CERCLA §122(g). The

NOTICES

proposed settlement concerns EPA's claims for response costs at the Flint River Bridge Drum Site in Gurley and Madison Counties, Alabama, against one settling party. The Agency will receive comments for a period of 30 days from the date of publication.

**"Proposed Administrative Settlement;
Tennessee Gas and Pipeline;
Correction"
May 19, 1995 (60 FR 26884)**

In the May 1, 1995, Federal Register (60 FR 21210), EPA gave notice of a proposed administrative settlement under CERCLA §122(h). The proposed Administrative Order on Consent settles claims for past and future removal actions at the Tennessee Gas and Pipeline Site along the Gulf Coast of Texas, Louisiana, and Mississippi and extending along three routes to markets in the midwestern and northeastern United States. The Agency wishes to clarify the scope of matters in that proposed settlement on which EPA will consider public comments. Specifically, the public may comment on the cost recovery component of the proposed settlement. EPA may withdraw from or modify the cost recovery component of the proposed settlement should such comments disclose information that the cost recovery component is inappropriate, improper, or inadequate. The Agency will receive comments for a period of 30 days from the date of publication.

**"Proposed Consent Decree; Broderick Site"
May 26, 1995 (60 FR 27990)**

A proposed Consent Decree in United States et al. v. Broderick Investment Company, et al., was lodged with the U.S. District Court for the

District of Colorado on May 22, 1995. Under the proposed Consent Decree, the settling parties will reimburse the United States \$10.7 million for past response costs incurred at the Broderick Superfund Site, located north of Denver, Colorado. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Administrative Settlement;
Georgia Transformer Site"
May 30, 1995 (60 FR 28110)**

EPA proposed to enter into an administrative settlement under CERCLA §122(h). The proposed Administrative Order on Consent settles claims with approximately 80 potentially responsible parties for response costs at the Georgia Transformer Site in Thomasville, Georgia. The Agency will receive comments for a period of 30 days from the date of publication.

EPCRA

**"Toxic Release Inventory Expansion;
Public Meeting"
May 1, 1995 (60 FR 21190)**

EPA announced that it will hold a one-half day public meeting to discuss the options the Agency is considering for expanding the industries covered under the EPCRA §313 reporting requirements. In connection with this meeting, the Agency also announced the availability of an issues paper discussing this initiative. The meeting will be held on May 25, 1995, in Washington, DC.

NOTICES**EPCRA/RCRA/CERCLA****"Supplemental Environmental Projects;
Interim Revised Policy"
May 10, 1995 (60 FR 24856)**

The Office of Enforcement and Compliance Assurance of EPA is issuing an interim Supplemental Environmental Projects (SEPs) Policy to supersede its February 12, 1991, policy. In certain instances environmentally beneficial projects, or SEPs, may be included in settlements with alleged violators. This policy gives EPA greater flexibility in exercising its enforcement discretion in establishing appropriate settlement penalties. Specifically, it outlines the types of projects that are permissible as SEPs, the penalty mitigation appropriate for a particular SEP, and the terms and conditions under which they may become part of a settlement. EPA intends to implement this policy on an interim basis effective May 8, 1995. Comments must be received on or before August 6, 1995.

Pollution Prevention**"Socioeconomic Projects Related to
Pollution Prevention; Extension of
Proposal Deadline"
May 3, 1995 (60 FR 21810)**

EPA requested proposals for projects directed toward furthering the objectives of the President's Environmental Technology Initiative on February 24, 1995 (60 FR 10388). In particular, the Agency is seeking pollution prevention proposals, averaging \$150,000 per year with a maximum duration of two years, that support the following objectives: 1) adapting EPA's policy, regulatory, and compliance framework to promote innovation; 2) strengthening the capacity of technology developers and users to

succeed in environmental innovation; and 3) accelerating the diffusion of innovative technologies at home and abroad. The deadline for receipt of proposals for this solicitation has been extended from May 1, 1995, until May 16, 1995.

Reinventing Environmental Regulation**"Regulatory Reinvention Pilot Projects"
May 23, 1995 (60 FR 27282)**

On March 16, 1995, as part of his National Performance Review regulatory reinvention initiative, President Clinton announced that EPA would develop pilot projects that provide the flexibility to test alternative strategies to achieve environmental goals. In response, EPA invites private and public entities or groups of entities regulated under its various statutory authorities to submit proposals for developing alternative strategies that will replace or modify specific regulatory requirements. This initiative will involve the exercise of regulatory flexibility by EPA in exchange for a commitment on the part of the regulated entity to achieve better environmental results than would have been attained through full compliance with all applicable regulations. The Agency is soliciting pilot project proposals in three general areas: 1) industry-wide projects; 2) facility-based projects; and 3) government agency projects. The period for submission of proposals will begin upon EPA's announcement in the Federal Register that clearance has been obtained under the Paperwork Reduction Act.

NOTICES

All Program Areas

"EPA Semiannual Regulatory Agenda" May 8, 1995 (60 FR 23928)

EPA's semiannual regulatory agenda describes the Agency's ongoing and long-term plans for policy and regulation development, revision, and review.

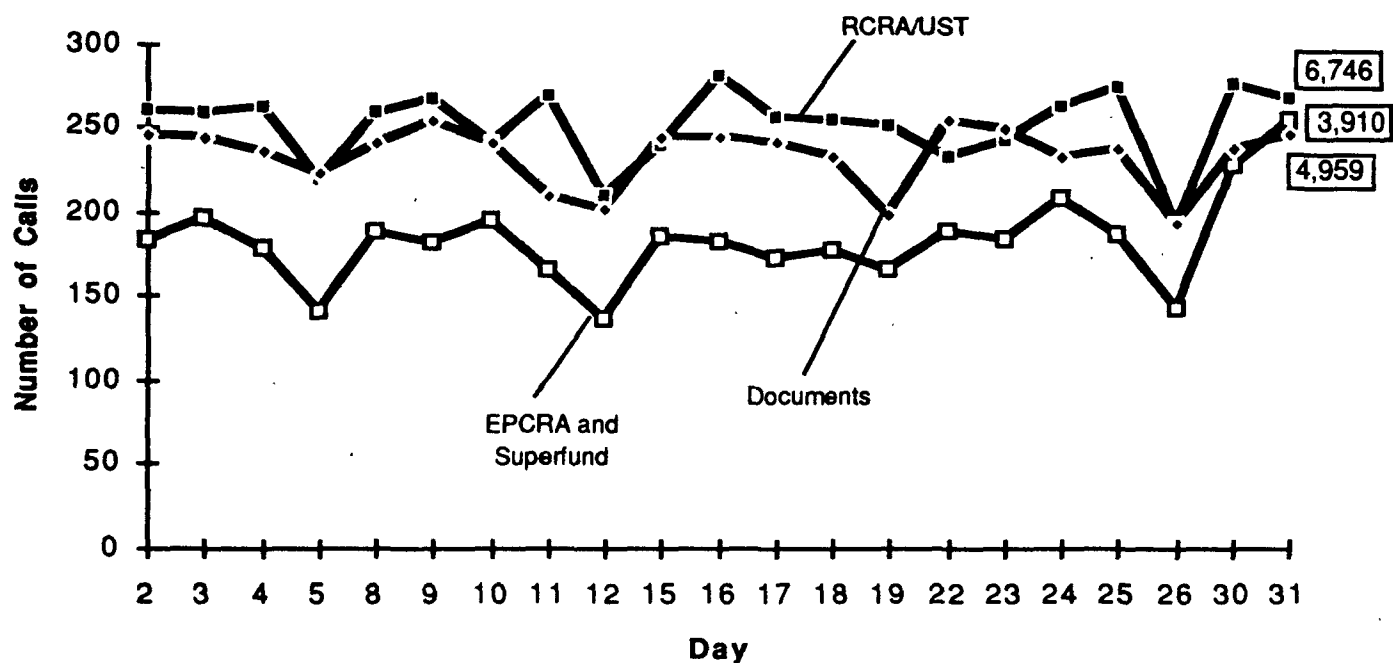




CALL ANALYSES

CALLS ANSWERED BY HOTLINE

May Daily Volume*

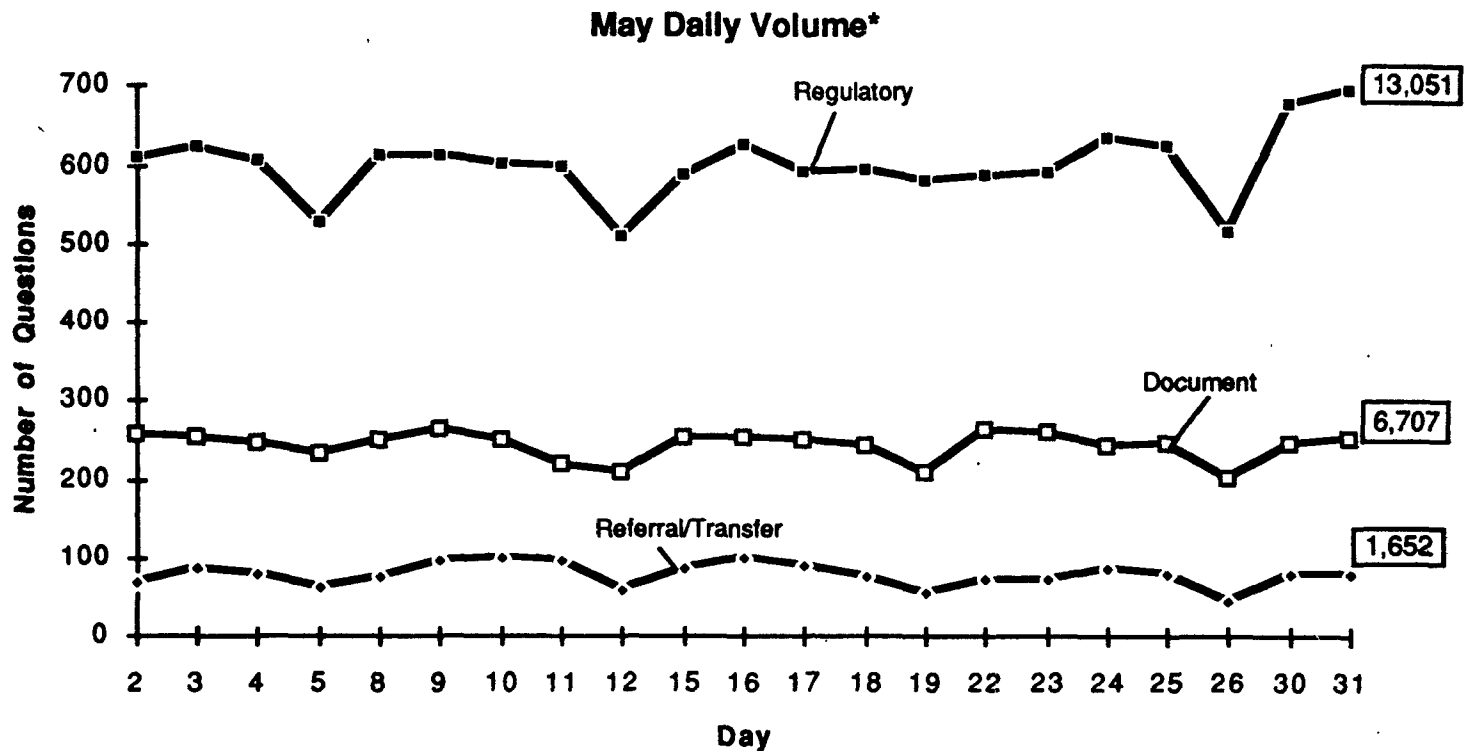


Year to Date*

RCRA/UST			EPCRA and Superfund			Documents (All Program Areas)		
	Month	Cumulative		Month	Cumulative		Month	Cumulative
January	6,017	--	January	3,432	--	January	4,389	--
February	5,984	12,001	February	4,284	7,716	February	4,191	8,580
March	6,953	18,954	March	3,892	11,608	March	5,402	13,982
April	5,954	24,908	April	3,158	14,766	April	4,631	18,613
May	6,746	31,654	May	3,910	18,676	May	4,959	23,572

*All calls answered by the Call Management System, the Message Retrieval Line, and the Document Retrieval Line.

QUESTIONS ANSWERED BY TYPE



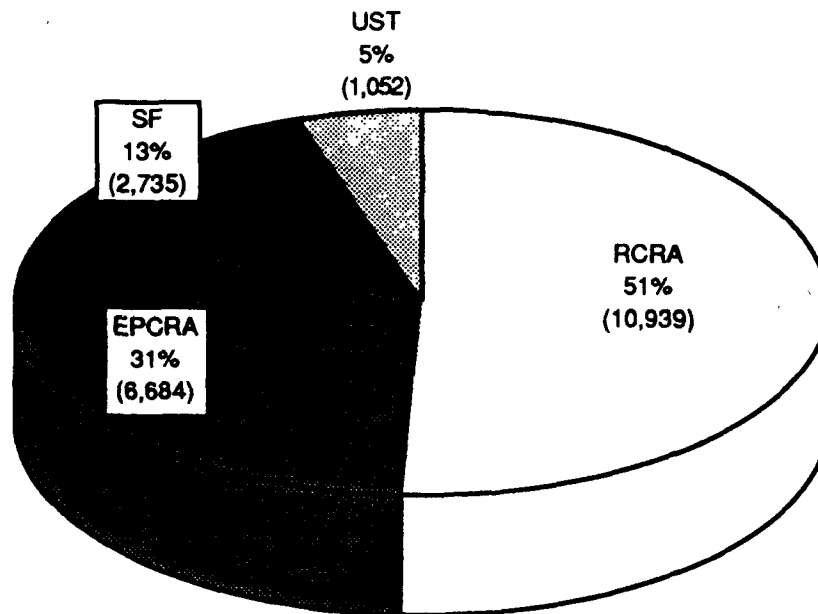
Year to Date*

Regulatory			Document			Referral/Transfer		
	Month	Cumulative		Month	Cumulative		Month	Cumulative
January	12,045	--	January	5,285	--	January	1,518	--
February	11,182	23,227	February	5,301	10,586	February	1,689	3,207
March	12,817	36,044	March	6,643	17,229	March	1,747	4,954
April	10,851	46,895	April	5,636	22,865	April	1,328	6,282
May	13,051	59,946	May	6,707	29,572	May	1,652	7,934

* All questions answered by the Call Management System, the Message Retrieval Line, and the Document Retrieval Line. A single call may include multiple questions combined with document requests and referrals.

QUESTIONS ANSWERED BY PROGRAM AREA

May 1995*



*Based on 19,758 questions and excludes 1,652 referrals and transfers made from both Hotlines. Includes the Message Retrieval Line and the Document Retrieval Line.

Year to Date*

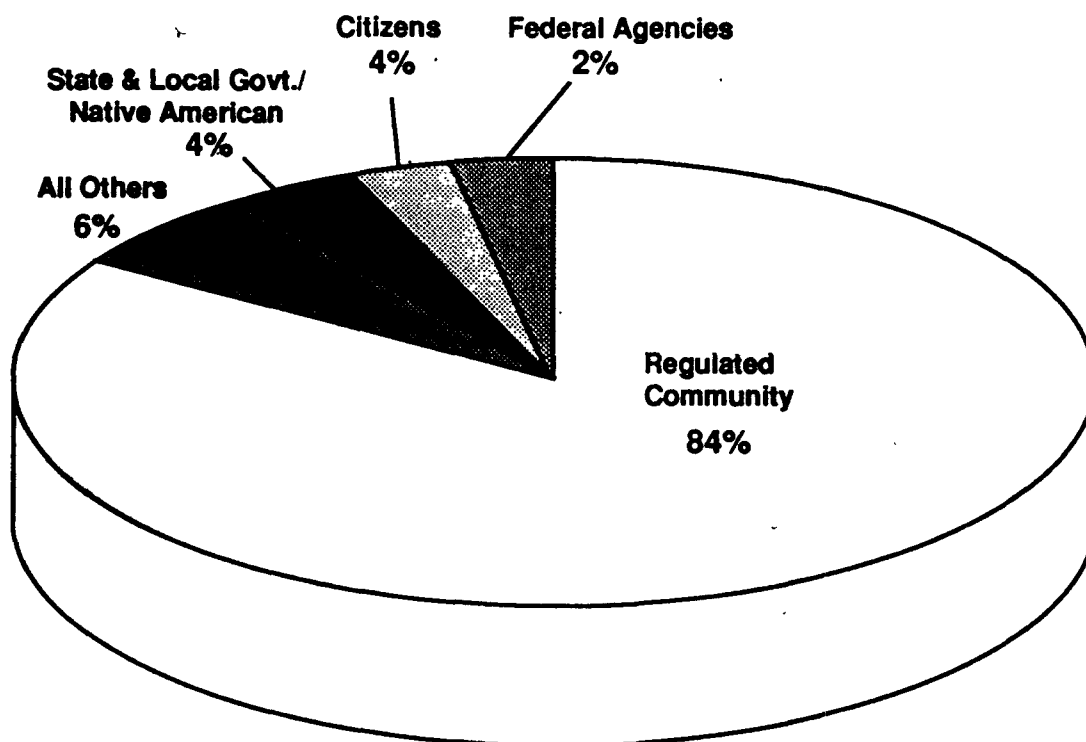
	RCRA		UST		EPCRA		Superfund	
	Month	Cumulative	Month	Cumulative	Month	Cumulative	Month	Cumulative
January	56% (9,725)	--	6% (1,012)	--	24% (4,215)	--	14% (2,378)	--
February	52% (9,474)	54% (19,199)	5% (951)	5% (1,963)	29% (5,261)	27% (9,476)	14% (2,486)	14% (4,864)
March	55% (11,738)	55% (30,937)	6% (1,290)	6% (3,253)	23% (4,904)	25% (14,380)	16% (3,275)	14% (8,139)
April	55% (9,814)	55% (40,751)	5% (897)	6% (4,150)	25% (4,536)	25% (18,916)	15% (2,568)	14% (10,707)
May	51% (10,939)	54% (51,690)	5% (1,052)	5% (5,202)	31% (6,684)	27% (25,600)	13% (2,735)	14% (13,442)

CALLER PROFILE

RCRA/UST Hotline

Regulated Community	5,732
Citizens	308
State & Local Govt./Native American	289
Federal Agencies	141
Educational Institutions	169
EPA	126
Media	7
Interest Groups	17
Congress	2
International	9
Other	52
Referrals*	478
Transfers to EPCRA/Superfund Hotline*	487
Document Retrieval Line*	224
Message Retrieval Line*	1,482

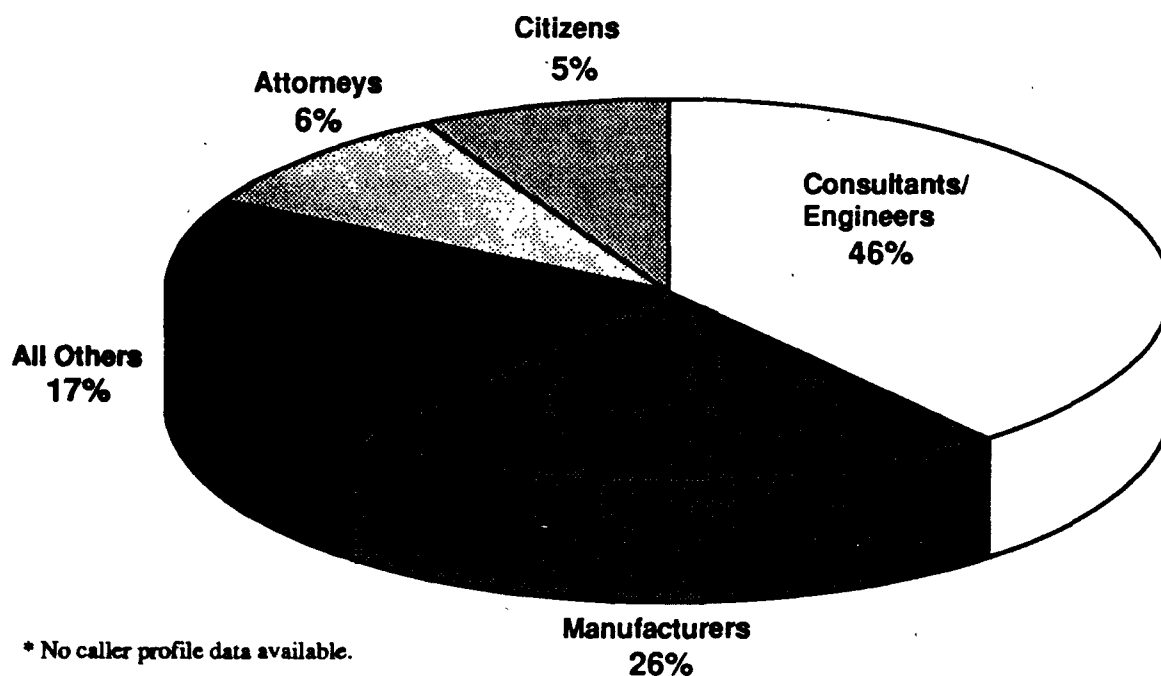
TOTAL **9,523**



* No caller profile data available.

Emergency Planning and Community Right-to-Know Act/ Superfund Hotline

Manufacturers		Consultants/Engineers	2,441
Food/Tobacco	53	Attorneys	344
Textiles	34	Citizens	257
Apparel	23	Public Interest Groups	51
Lumber & Wood	31	Educational Institutions	100
Furniture	33	EPA	83
Paper	34	Federal Agencies	183
Printing & Publishing	52	GOCOs	9
Chemicals	247	Congress	2
Petroleum & Coal	103	State Officials/SERCs	93
Rubber & Plastics	91	Local Officials/LEPCs	80
Leather	27	Fire Departments	15
Stone, Clay & Glass	47	Hospitals/Laboratories	47
Primary Metals	61	Trade Associations	29
Fabricated Metals	125	Union/Labor	1
Machinery (Excluding Electrical)	46	Farmers	2
Electrical & Electronic Equipment	50	Distributors	27
Transportation Equipment	54	Insurance Companies	11
Instruments	34	Media/Press	13
Misc. Manufacturing	244	Native Americans	0
		International	6
		Other	126
		Referrals*	312
Subtotal	1,389	Transfers to RCRA/UST Hotline*	375
		Document Retrieval Line*	17
		Message Retrieval Line*	79
		TOTAL	6,092



HOTLINE TOPICS

RCRA			
RCRA GENERAL	1,265	Composting	41
SUBTITLE C		Markets - General	26
Hazardous Waste Id. - General	1,478¹	Aluminum	11
Toxicity Characteristic (TC)	232	Batteries	19
Wood Preserving Wastes	25	Compost	9
Listing of Used Oil	54	Glass	4
Fluff	0	Paper	10
Mercury-Containing Lamps	491¹	Plastics	6
Radioactive Mixed Waste	28	Tires	12
Delisting Petitions	16	Used Oil	43
Hazardous Waste Recycling	836¹	Procurement General	132¹
Generators	748¹	Building Insulation	8
Small Quantity Generators	283	Cement/Cement Products with Fly Ash	2
Transporters	84	Paper and Paper Products	87
Exports/Imports	24	Re-Refined Lubricating Oil	3
TSDF General	874¹	Retread Tires	3
Treatment	89	Source Reduction/Pollution Prevention	57
Storage	104	Grant and Financing	10
Disposal	61	OTHER WASTES	
Siting Facilities	11	Ash	36
Capacity	28	Bevill Amendment (Mining Waste)	26
Land Disposal Restrictions	699¹	Medical Waste	133
Permits and Permitting	204	Oil and Gas	7
Corrective Action	284	TOTAL	10,939*
Liability/Enforcement	138	* Includes 3,238 RCRA document requests.	
Test Methods	155		
Health Effects	24		
Combustion - General	171	UST	
Permitting	46	General/Misc.	205¹
Tech. Standards/Combustion Units	48	Applicability/Definitions	121
Waste Minimization	69	Regulated Substances	35
Risk Assessment	12	Standards for New Tank Systems	47
Waste Minimization/Pollution Prevention	94	Tank Standards and Upgrading	68
State Programs	77	Operating Requirements	17
Hazardous Waste Data	71	Release Detection	126
Military Munitions	11	Release Reporting & Investigation	40
SUBTITLE D		Corrective Action for USTs	221
Household Hazardous Wastes	245	Out-of-Service/Closure	66
Subtitle D - General	428¹	Financial Responsibility	34
Siting Facilities	18	State Programs	26
Combustion	27	Liability/Enforcement	30
Industrial Waste	43	LUST Trust Fund	16
Solid Waste Recycling - General	408¹	TOTAL	1,052*
Aluminum	18	* Includes 649 UST document requests.	
Batteries	15		
Glass	6		
Paper	41		
Plastics	37		
Tires	15		
Used Oil	119		

¹ 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.

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

General Title III Questions	575¹
Trade Secrets	6
Enforcement	37
Liability/Citizen Suits	16
Training	6
Chemical-Specific Information	64

Emergency Planning (§§301-303):

General	93
Notification Requirements	46
SERC/LEPC Issues	140
EHSs/TPQs	78
Risk Communication/ Hazards Analysis	50
Exemptions	24

Emergency Release Notification (§304):

General	48
Notification Requirements	51
Reportable Quantities	99
CERCLA §103 vs. SARA §304	54
ARIP/AHEDB/ERNS	2
Exemptions	13

**Hazardous Chemical Reporting
(§§311-312):**

General	112
MSDS Reporting Requirements	99
Tier I/II Requirements	124
Thresholds	55
Hazard Categories	13
Mixtures Reporting	24
Exemptions	52

Toxic Chemical Release Inventory (§313):

General	841 ¹
Reporting Requirements	714 ¹
Thresholds	451
Form R Completion	1,362 ¹
Supplier Notification	75
NOTEs/NOSEs/NONs	113
Voluntary Revisions	91
Pollution Prevention 33/50	42
Public Access to Data	111
TRI Database	97
Petitions	60
TRI Expansion	336
Exemptions	257

Special Topics:

CAA §112	
General	83 ¹
RMPs	70 ¹
List of Regulated Substances	34
Federal Facilities Executive Order	66

TOTAL 6,684

*Includes 1,877 Emergency Planning and Community
Right-to-Know document requests

SUPERFUND

General/Misc.	201
Access & Information Gathering	33
Administrative Improvements	
General	73
Environmental Justice/Brownfields	98 ¹
SACM/Presumptive Remedies	85
Soil Screening Levels	65
Administrative Record	26
ARARs	103
CERCLIS	145
Citizen Suits	17
Claims Against Fund	16
Clean-Up Costs	45
Clean-Up Standards	85
Community Involvement	60
Contract Lab Program (CLP)	24
Contractor Indemnification	4
Contracts	9
Definitions	22
Enforcement	74
Federal Facilities	30
Hazardous Substances	109
HRS	23
Liability	86
Local Gov't Reimbursement	14
Natural Resource Damages	8
NCP	41
Notification	101
NPL	198 ¹
Off Site Rule	18
OSHA	8
PA/SI	16
PRPs	41
RD/RA	34
Reauthorization	17

¹ Hot topics for this month

² Topics are calculated as the summation of all questions received by the Hotline. A single call may result in multiple questions.

Remedial	115
Removal	41
RI/FS	35
Risk Assess./Health Effects	83
ROD	40
RQ	256 ¹
Settlements	33
SITE Program	29
State Participation	11
State Program	8
TAGs	5
Taxes	13

Special Topics	
Oil Pollution Act	17
SPCC Regulations	32
Radiation Site Cleanup	88 ¹

TOTAL 2,735*

*Includes 943 Superfund document requests.

TOTAL HOTLINE QUESTIONS, DOCUMENT REQUESTS AND REFERRALS:	21,410
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¹ Hot topics for this month

² Topics are calculated as the summation of all questions received by the Hotline. A single call may result in multiple questions.