

# 3 DAYS ONLY

EPA530-R-95-002g  
PB95-922 407

## MONTHLY HOTLINE REPORT

July 1995

### RCRA/UST, Superfund, and EPCRA



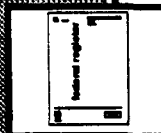
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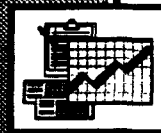
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RCRA/UST, Superfund, and EPCRA

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

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## HOTLINE QUESTIONS AND ANSWERS

### UST

#### 1. Use of Manual Tank Gauging as Sole Means of Release Detection for 1,000 Gallon Tanks

The following Monthly Report Question replaces the Monthly Report Question published in the February 1995 Monthly Hotline Report

*The regulations of 40 CFR Part 280, Subpart D require owners and operators of new and existing underground storage tanks (USTs) to demonstrate release detection by using one of the methods found in §280.43(d) through (h). Can manual tank gauging alone be used to meet the requirements for "other types of release detection methods" acceptable under 40 CFR §280.43(h)?*

Almost all owners and operators of USTs must eventually meet the release detection requirements of Part 280, Subpart D, by using one of the methods listed in 40 CFR §280.43(d) through (h). Section 280.43(h)(1) allows the use of an alternative method, or a combination of methods, to satisfy the UST release detection requirements. These methods must be able to detect a 0.2 gallon per hour leak rate or a release of 150 gallons within a month with a probability of detection of 0.95 and a probability of false alarm of 0.05.

To the Agency's knowledge, manual tank gauging alone has not been shown to be able

to meet the performance standards in 40 CFR §280.43(h)(1) for tanks constructed to hold more than 1000 gallons. For smaller tanks designed to contain 1000 gallons or less, however, manual tank gauging has been demonstrated to meet the performance standard when conducted in accordance with the following procedure:

1. Tank liquid measurement levels are taken at the beginning and end of a time period during which no liquid is added to or removed from the tank. The appropriate time period is listed in the chart below.
2. Level measurements are based on an average of two consecutive stick readings at both the beginning and end of the period.
3. The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch.
4. Testing is conducted at least once a week and four weekly results are averaged to obtain a monthly result. If the variation between beginning and ending measurements exceeds the weekly or monthly standards in the following table, a leak is suspected and will be subject to the release reporting requirements of 40 CFR Subpart E.

Tank Size	Minimum Duration of Test	Weekly Standard (1 test)	Monthly Standard (4-test average)
up to 550 gallons	36 hours	10 gallons	5 gallons
551-1,000 gallons (when tank diameter is 64")	44 hours	9 gallons	4 gallons
551-1,000 gallons (when tank diameter is 48")	58 hours	12 gallons	6 gallons

## CERCLA

### 2. NPL Deletion/Deferral Policy and RCRA Subtitle C Corrective Action

*EPA has the authority under both CERCLA and RCRA to address the cleanup of contaminated sites. Under what circumstances will EPA address a contaminated site through one of the RCRA Subtitle C corrective action authorities rather than list the site on the CERCLA National Priorities List (NPL)? If a site is already on the NPL, what are the criteria for deleting the site and deferring it to RCRA?*

To conserve Superfund resources and avoid duplication of effort, EPA has maintained a policy of not to undertake CERCLA responses at certain sites that can or will be adequately addressed by RCRA. Consequently, instead of listing sites on the NPL, the Agency often defers sites that otherwise meet the NPL criteria to RCRA Subtitle C corrective action. Under current policy, EPA may defer sites to RCRA at any point in the NPL process, including after placement on the NPL. EPA has had a policy of deferring certain sites from listing since the first NPL final rule on September 8, 1983 (48 FR 40658).

Prior to the enactment of the Hazardous and Solid Waste Amendments of 1984 (HSWA), the RCRA Subtitle C corrective action authorities only applied to certain releases from

surface impoundments, waste piles, land treatment areas, and landfills that received hazardous wastes after July 27, 1982. HSWA expanded the RCRA Subtitle C corrective action authorities, giving EPA the authority to address the on- and off-site cleanup of releases from active and inactive permitted and interim status hazardous waste treatment, storage, and disposal facilities (TSDFs). In order to implement this broader authority, in 1986, the Agency developed a policy for the listing or deferral from listing of potential NPL sites (51 FR 21057; June 10, 1986). According to the 1986 deferral policy, EPA will generally defer the listing of potential NPL sites when other authorities exist that are capable of accomplishing the needed corrective action.

The Agency will not automatically defer all sites eligible for cleanup under RCRA. For example, EPA will not defer federal facilities from the NPL, because federal facilities are not eligible for Fund-financed remedial action, and deferring them would not conserve Fund monies (54 FR 10520; March 13, 1989). In addition, the Agency will continue to include RCRA sites not subject to Subtitle C corrective action authorities, such as generator and transporter sites, on the NPL. EPA is also reluctant to defer sites owned by persons who are unwilling or unable to pay for corrective action and related activities because these owners are unlikely to take corrective action as required by RCRA. For this reason, the 1986 deferral policy clarifies that the Agency will

not defer sites meeting the criteria for listing on the NPL that fall into one of the following categories:

- RCRA facilities owned by bankrupt persons;
- RCRA facilities that have lost authorization to operate under the RCRA Loss of Interim Status (LOIS) provision and are owned by persons who have indicated an unwillingness to undertake corrective action; and
- Facilities that have not lost authorization to operate, but that are owned by people who have, as determined on a case-by-case basis, a clear history of unwillingness to undertake corrective action.

On June 24, 1988 (53 FR 23979), EPA clarified the deferral policy and added the following four categories of RCRA facilities to those types of sites which it will not defer from inclusion on the NPL:

- Non- or late-filers — treatment, storage, or disposal facilities that managed hazardous waste after November 19, 1980, but did not file Part A RCRA permit applications by that date and have little or no history of compliance with RCRA;
- Converters — facilities that previously treated or stored hazardous waste, but have since converted to activities that do not require interim status and have therefore formally withdrawn their Part A applications;
- Protective filers — facilities that filed RCRA Part A permit applications as a precautionary measure for treatment, storage, or disposal operations that do not require interim status and are not subject to RCRA Subtitle C corrective action authorities; and

- Pre-HSWA permittees — sites holding permits issued before the enactment of the Hazardous and Solid Waste Amendments (HSWA).

These types of sites are either not subject to RCRA Subtitle C corrective action authorities or are not high priorities under RCRA and would not be promptly addressed by the RCRA corrective action program. The Agency has therefore decided to place these sites on the NPL if they meet the listing criteria so that, if necessary, the Superfund authorities are fully available.

On March 20, 1995 (60 FR 14641), EPA issued a new deferral policy for sites after their placement on the NPL. Previously, once EPA made the decision to place a site on the NPL (rather than defer the site to another cleanup authority), the Agency would only delete the site from the NPL when no further response at that site was appropriate (55 FR 8845; March 8, 1990). This policy meant EPA would not delete sites from the NPL to defer them to RCRA during the response process, even if the Agency determined that a RCRA response was appropriate. Under the 1995 deletion/deferral policy, the Agency may, during the response process, delete sites from the NPL based on deferral to the RCRA Subtitle C corrective action program. To be eligible for deletion from the NPL based on deferral to RCRA, NPL sites must meet the following criteria:

- The site must be eligible for deferral from inclusion on the NPL under EPA's current deferral policy (as discussed above);
- EPA must be currently addressing the site through a RCRA corrective action authority under an existing enforceable order or permit containing corrective action provisions;

- Response under RCRA must be progressing adequately; and
- Deletion must not disrupt any ongoing CERCLA response actions.

Before a site may be deleted from the NPL under the deferral/deletion policy, it must also meet other applicable deletion requirements under CERCLA regulations. In particular, a site may only be deleted from the NPL after the state in which the release was located has concurred with the proposed deletion (40 CFR §300.425(e)(2)). Thus, sites must also be evaluated by the appropriate state authority before EPA can delete the sites from the NPL for deferral to RCRA.

### 3. Placement Within an Area of Contamination

*During the Superfund response process, EPA uses the area of contamination concept (AOC) to assist officials in determining when placement does and does not occur for CERCLA actions involving on-site disposal of RCRA hazardous wastes. EPA equates an AOC to a single RCRA land disposal unit consisting of continuous contamination of varying amounts and types. Often, an AOC contains separate, discrete wastes. Those CERCLA hazardous substances which are defined as hazardous waste under RCRA must meet substantive Land Disposal Restrictions (LDR) standards in certain circumstances.*

*An AOC at a CERCLA site contains two piles of RCRA-regulated hazardous waste, generated from the same source. The first pile is removed from the AOC and is treated to meet RCRA LDR. The second waste pile is left untouched. When the first waste pile is subsequently returned to the AOC, it is commingled with the waste which never left the AOC. Despite the fact that it was never removed from the AOC, is the untreated waste subject to LDR treatment standards?*

The untreated waste is not subject to LDR. CERCLA §121(d)(2) specifically requires that remedial activities must comply with Applicable or Relevant and Appropriate Requirements (ARARs) of federal, state, and local environmental laws. LDR is an applicable requirement only where waste such as contaminated soil is placed on the land. Placement does not occur, however, where waste at a site is left undisturbed within an AOC, when it is treated in situ, or when it is managed within the AOC without any intervening treatment outside of the AOC (55 FR 8758; March 8, 1990). Since the untreated waste is not "placed" during the CERCLA response action, the LDRs are not ARARs. Conversely, if the waste is removed from an AOC, or treated in a separate unit within the AOC and subsequently returned, the action constitutes placement, and that waste must be treated to meet LDR standards (55 FR 8758, 8760; March 8, 1990).

## EPCRA

### 4. EPCRA Requirements for a Facility Located Within the Planning Districts of Two LEPCs

*The reporting requirements of EPCRA §§303(d), 311, and 312 require covered facilities to provide information on the presence of extremely hazardous substances (EHSs) and hazardous chemicals to the Local Emergency Planning Committee (LEPC) for the purpose of preparing an emergency plan. In general, facilities are located within the boundaries of a single LEPC's emergency planning district, allowing all notification to be made to the same planning entity. A certain facility subject to EPCRA emergency planning requirements is located such that its perimeter extends across the planning jurisdiction boundaries of two LEPCs. In this case, which LEPC is responsible for including the facility*

*in its emergency response plan? To which LEPC should the facility fulfill its reporting obligations under EPCRA §§303(d), 304, 311, and 312?*

LEPCs who share jurisdiction over a facility should decide on how they will share responsibility for including the facility in their emergency planning activities and how they will accept information required under EPCRA §§303(d), 304, 311, and 312. With respect to §303(d), if the facility is located within two districts, it must provide the required notification to both LEPCs. Since EPCRA §304 requires facilities to notify the LEPC responsible for any area likely to be affected by a release of a reportable chemical (40 CFR §355.40(b)(1)), both LEPCs should receive release notification to ensure sufficient emergency response. EPCRA §§311 and 312 require information to be submitted to the appropriate LEPC (EPCRA §§311(a)(1)(A), and 312(a)(1)(A)). LEPCs may reach an agreement as to which is the appropriate LEPC, and thus determine which would receive information submitted under §§311 and 312. In the absence of such an agreement, the facility would need to report to both LEPCs.

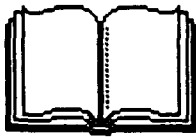
## **5. Ammonia and Ammonium Hydroxide Reporting Under EPCRA §§302 and 304**

*Ammonia (CAS #7664-41-7) is listed on the Extremely Hazardous Substance (EHS) list found at 40 CFR Part 355 Appendix A and B, with a threshold planning quantity (TPQ) of 500 pounds. A facility stores ammonium hydroxide (CAS #1336-21-6), which does not appear on the EHS list, on site in excess of 500 pounds. Since ammonium hydroxide is essentially a mixture of ammonia and water, should the facility include the quantity of ammonia in ammonium hydroxide toward TPQ and reportable quantity (RQ) calculations for purposes of EPCRA §§302 and 304 reporting?*

The quantities of ammonia in ammonium hydroxide should be considered separately when determining reporting requirements under EPCRA §§302 and 304. This is consistent with the listing under CERCLA (40 CFR Table §302.4), where ammonia and ammonium hydroxide are specifically and separately listed as hazardous substances. Thus, ammonia (CAS #7664-41-7) and ammonium hydroxide (CAS #1336-21-6) are considered different chemicals for EHS purposes.

The notification requirement in EPCRA §302 applies to facilities with quantities of EHSs present on-site equal to or in excess of a TPQ. Ammonia is considered an EHS, therefore, a facility with a TPQ or more of ammonia is required to provide EPCRA §302 notification. Since ammonium hydroxide is considered distinct from ammonia, and is not specifically listed as an EHS, it is not subject to emergency planning requirements. A facility storing a large quantity of ammonium hydroxide, however, may have free ammonia in the headspace of a storage tank. A facility must report the ammonia in the headspace of a storage tank under EPCRA §302 if this amount of free ammonia equals or exceeds the TPQ at any time.

EPCRA §304 applies to chemicals listed as either CERCLA hazardous substances (40 CFR §302.4) or EHSs. Both ammonia and ammonium hydroxide are specifically listed as CERCLA hazardous substances and both chemicals, therefore, are subject to EPCRA §304 reporting requirements. Ammonia has a RQ of 100 pounds and ammonium hydroxide has an RQ of 1000 pounds. If either chemical is released to the environment above its designated RQ within a 24-hour period, the facility is subject to EPCRA §304 notification requirements (40 CFR §355.40).



## 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.

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### RCRA

**TITLE:** "Final Best Demonstrated Available Technology (BDAT) Background Document for Universal Standards Volume A: Universal Standards for Nonwastewater Forms of Listed Hazardous Wastes"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 926

This background document, which is Part A of a two volume set, provides EPA's rationale and technical support for selecting the constituents regulated and the treatment requirements for the wastewater forms in the universal treatment standards table under the Land Disposal Restrictions program. These universal standards replace BDAT treatment standards in most of the previously promulgated waste codes and are used to promulgate treatment standards for newly listed wastes.

**TITLE:** "Final Best Demonstrated Available Technology Background Document for F001-F005 Spent Solvents"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 876

This background document provides EPA's rationale and technical support for revising the F001-F005 treatment standards promulgated

on November 7, 1986, and August 17, 1988. It also includes EPA's approach to and technical support for the treatment standards for wastewater and nonwastewater forms of F001-F005. Finally, the document contains the revised F001-F005 treatment standards.

**TITLE:** "Test Methods for Evaluating Solid Waste: Physical/Chemical Methods (SW-846) Third Edition; Final Update 11B"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-234 480

This packet contains revised material for inclusion in Test Methods for Evaluating Solid Waste. Specifically, it includes a methods status table which is a sequentially numbered listing of all SW-846 methods and their current status. The update packet also includes two revised methods: Method 9040B for pH electrometric measurement and method 9045C for soil and waste pH.

**TITLE:** "Final Best Demonstrated Available Technologies (BDAT) Background Document for Chlorinated Toluene Wastes K149, K150, and K151"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 942

This background document provides the Agency's rationale and technical support for selecting the constituents regulated and the

applicable treatment standards under the Land Disposal Restrictions program for the K149, K150, and K151 listed wastes. The document also contains waste characterization data that may serve as a basis for determining whether a variance from the applicable treatment standards is warranted for a particular type of chlorinated toluene waste.

**TITLE:** "Final Best Demonstrated Technology (BDAT) Background Document for Organic Toxicity Characteristic Wastes D018-D043 and Addendum to Nonwastewater Forms of Pesticide Toxicity Characteristic Wastes D012-D-017"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 918

This background document provides the Agency's rationale and technical support for selecting the constituents regulated and the applicable treatment standards under the Land Disposal Restrictions program for the D018-D043 and D012-D017 listed wastes. This document also provides waste characterization data that may serve as a basis for determining whether a variance from the applicable treatment standards is warranted for a particular waste.

**TITLE:** "Crude Oil and Natural Gas Exploration and Production Wastes: Exemption from RCRA Subtitle C Regulation"

**AVAILABILITY:** Hotline

**EPA ORDER NO.:** EPA530-K-95-003

This document was published to provide an understanding of the exemption of certain oil and gas exploration and production (E&P) wastes from regulation as hazardous wastes under Subtitle C of RCRA. Specifically, this document includes a basic background of the E&P exemption and basic rules for determining the exempt or non-exempt wastes, answers to frequently asked questions, and additional sources of information.

**TITLE:** "Final Best Demonstrated Available Technology (BDAT) Background Document for Newly Listed Refinery Wastes F034 and F038"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 843

This background document provides EPA's rationale and technical support for selecting the constituents regulated, and the applicable standards under the Land Disposal Restrictions program for the F037 and F038 listed wastes. This document also provides all waste characterization information available to the Agency.

**TITLE:** "Final Best Demonstrated Available Technology (BDAT) Background Document (Addendum) for All Nonwastewater Forms of K061 and Alternative BDAT Treatment Standards for F006 and K062 Nonwastewaters"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 884

This background document is an addendum for the nonwastewater forms of K061, K062, and F006 listed wastes under the Land Disposal Restriction program. The purpose of this document is to present EPA's rationale and supporting technical information for removing the existing subcategories for K061 nonwastewaters (i.e., low zinc and high zinc) and establishing one set of treatment standards that will apply to all nonwastewater forms of K061. This background document also presents the Agency's decision for establishing alternative treatment standards for F006 and K062 nonwastewaters.

**TITLE:** "Summary of OSW's RCRA Regulatory Reform Analysis: Preliminary Results"

**AVAILABILITY:** Hotline

**EPA ORDER NO.:** EPA530-R-95-015

This document reports the findings of the Office of Solid Waste's analysis of the existing regulations. The report reviews each section of the RCRA regulations, and places the section into one of four recommendation categories: no action, obsolete, revision of rules, or needed. Background is given for EPA's rationale for each designation.

**TITLE:** "Reusable News (Spring 1995)"

**AVAILABILITY:** Hotline

**EPA ORDER NO.:** EPA530-N-95-003

Reusable News is a quarterly newsletter that reports on municipal solid waste management topics. The Summer 1995 edition includes articles that announce new milestone's reached in the McDonald's "Buy Recycled" campaign, as well as efforts by the Atlanta Committee for the Olympic Games to provide recycling bins and other waste reducing measures for the 1996 Summer Olympic Games. The newsletter also includes information regarding the increase of household hazardous waste programs in the United States, and it introduces two new resources available on life-cycle assessments.

**TITLE:** "Final Best Demonstrated Available Technology (BDAT) Background Document for Universal Standards for Wastewater Forms of Listed Hazardous Wastes"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 934

This background document, which is Part B of a two volume set, provides EPA's rationale and technical support for selecting the constituents regulated and the treatment requirements in the

universal treatment standards table under the Land Disposal Restrictions program. These universal standards replace BDAT treatment standards in most of the previously promulgated waste codes and will be used in the future to promulgate treatment standards for newly listed wastes.

**TITLE:** "Final Best Demonstrated Available Technology (BDAT) Background Document for Coking Wastes K141-145, K147, and K148"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 868

This background document provides the Agency's rationale and technical support for selecting the constituents regulated, and the applicable treatment standards under the Land Disposal Restrictions program for the K141-K145, K147, and K148 listed wastes. This document also provides waste characterization data that may serve as a basis for determining whether a variance from the applicable treatment standards is warranted for a particular type of coking waste that may be more difficult to treat than the wastes on which the BDAT treatment standards are based.

**TITLE:** "Final Best Demonstrated Available Technology (BDAT) Background Document for Newly Listed Wastes K107, K108, K109, K110, K111, K112, U328, U353, K117, K118, K136, K123, K124, K125, K126, K131, K132, U359"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 850

This background document provides EPA's rationale and technical support for selecting the constituents regulated and the treatment requirements in the universal treatment standards table under the Land Disposal Restrictions program. These universal standards include both methods of treatment

and concentration-based treatment standards. This document also presents the following waste-specific information: number and locations of facilities that may be affected by the land disposal restrictions for these wastes; the processes generating these wastes; waste characterization data; the technologies used to treat these wastes (or similar wastes; if any); and the treatment performance data on which the treatment standards are based.

**TITLE:** "Final Amendments to the Final Best Demonstrated Available Technology (BDAT) Background Documents for Wastes for Which Wastewater Treatment Standards Were Determined Based on Concentrations in Incinerator Scrubber Water: K015, K016, K018, K019, K020, K023, K024, K028, K030, K048, K049, K050, K051, K052, K087, K093, K094, U028, U069, U088, U102, U107, and U190"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-963 892

This background document provides EPA's rationale and technical support for selecting the regulated constituents and the treatment requirements in the universal treatment standards table under the Land Disposal Restrictions program. These universal standards include both treatment methods and concentration-based treatment standards. The Agency is revising the treatment standards for wastewater forms of the wastes discussed and basing the treatment standards on available wastewater treatment performance data rather than concentrations in incinerator scrubber water.

**TITLE:** "Cost and Economic Impact Analysis of Land Disposal Restrictions for Newly Listed Wastes and Contaminated Debris (Phase I LDRs) Final Rule"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 900

This document contains information from the Regulatory Impact Analysis (RIA) which the Agency conducted for the Land Disposal Restrictions Phase I Final Rule published in the Federal Register on August 18, 1992 (57 FR 37194). It includes data on the annual incremental cost of the regulation, and how cost increases could affect industries; consumers; federal; state and local government agencies; and geographic regions. It also addresses how the cost of the rulemaking will affect employment, investment, innovation, and/or international trade.

**TITLE:** "Regulatory Impact Analysis of Land Disposal Restrictions for Newly Identified Wastes and Hazardous Soil (Phase II LDRs) Final Rule"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-230 959

This report estimates the costs, economic impacts, and benefits of the Land Disposal Restrictions (LDRs) for newly identified wastes and hazardous soil published in the Federal Register on September 19, 1994 (59 FR 47982). The document outlines the wastes affected by the rule, and the cost and economic impacts of implementation.

**TITLE:** "Don't Trash It: Super Fun"  
**AVAILABILITY:** Hotline  
**EPA ORDER NO.:** EPA530-K-95-005

This document was developed by National Geographic World and EPA. It is an activity book which contains puzzles and games that teach children about landfills and the benefits of waste minimization and recycling.

**TITLE:** "Landscaping Products Containing Recovered Materials"  
**AVAILABILITY:** Hotline  
**EPA ORDER NO.:** EPA530-B-95-003

This document is a list of manufacturers and suppliers of landscaping products containing recovered materials. This list was compiled to facilitate implementation of EPA's Comprehensive Procurement Guideline and to assist consumers interested in purchasing and using products containing recovered materials. The list provides company names, addresses, phone numbers, and contacts for additional assistance.

**TITLE:** "Vehicular Products Containing Recovered Materials"  
**AVAILABILITY:** Hotline  
**EPA ORDER NO.:** EPA530-B-95-005

This document is a list of manufacturers and suppliers of vehicular products containing recovered materials. This list was compiled to facilitate implementation of EPA's Comprehensive Procurement Guideline and to assist consumers interested in purchasing and using products containing recovered materials. The list provides company names, addresses, phone numbers, and contacts for additional assistance.

**TITLE:** "Parks and Recreation Products Containing Recovered Materials"  
**AVAILABILITY:** Hotline  
**EPA ORDER NO.:** EPA530-B-95-007

This document is a list of manufacturers and suppliers of parks and recreation products containing recovered materials. This list was compiled to facilitate implementation of EPA's Comprehensive Procurement Guideline and to assist consumers interested in purchasing and using products containing recovered materials. The list provides company names, addresses, phone numbers, and contacts for additional assistance.

**TITLE:** "Tissue Mills Which Use Postconsumer Recovered Paper"  
**AVAILABILITY:** Hotline  
**EPA ORDER NO.:** EPA530-B-95-008

This document is a list of tissue mills in the United States and Canada which use postconsumer recovered paper. This list was compiled to facilitate implementation of EPA's Comprehensive Procurement Guideline and to assist consumers interested in purchasing and using products containing recovered materials. The list provides company names, addresses, phone numbers, and contacts for additional assistance.

**TITLE:** "Mills Which Produce Newsprint Containing at Least Forty Percent Postconsumer Recovered Paper"  
**AVAILABILITY:** Hotline  
**EPA ORDER NO.:** EPA530-B-95-009

This document is a list of mills in United States and Canada which produce newsprint containing postconsumer recovered paper. This list was compiled to facilitate implementation of EPA's Comprehensive Procurement Guideline and to assist consumers interested in purchasing and using products

containing recovered materials. The list provides company names, addresses, phone numbers, and contacts for additional assistance.

**TITLE:** "Mills Which Manufacture Printing & Writing Paper, Computer Paper, Office Paper, Envelopes, Bristols, and Coated Printing and Writing Papers Using Recovered Paper"

**AVAILABILITY:** Hotline

**EPA ORDER NO.:** EPA530-B-95-010

This document is a list of mills in the United States and Canada which manufacture various types of paper that contain postconsumer recovered paper. This list was compiled to facilitate implementation of EPA's Comprehensive Procurement Guideline and to assist consumers interested in purchasing and using products containing recovered materials. The list provides company names, addresses, phone numbers, and contacts for additional assistance.

## UST

**TITLE:** "Don't Wait Until 1998: Brief Facts"

**AVAILABILITY:** Hotline

**EPA ORDER NO.:** EPA510-F-95-002

This brochure summarizes the upgrading requirements for existing underground storage tanks which are further detailed in the publication, Don't Wait Until 1998: Spill, Overfill, and Corrosion Protection for Underground Storage Tanks, EPA510-B-94-002, also available through the Hotline.

**TITLE:** "How to Evaluate Alternative Cleanup Technologies for Underground Storage Tank Sites: A Guide for Corrective Action Plan Reviewers"

**AVAILABILITY:** GPO

**GPO ORDER NO.:** GPO 055-000-00499-4

EPA developed this manual as guidance for state regulators who evaluate corrective action plans (CAPS) that incorporate alternative technologies at underground storage tank (UST) sites. This revised edition updates the version of the manual published in October 1994 by adding two new chapters addressing in-situ groundwater bioremediation and dual-phase extraction.

## OTHER

**TITLE:** "OSWER Environmental Justice Action Agenda: Factsheet"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-963 297

This factsheet provides an overview of the OSWER Environmental Justice Action Agenda, released in May 1995. It includes examples of the partnership OSWER has formed with the public and program action items. The factsheet gives details on health and environmental research; data collection, analysis, and stakeholder access to information; partnerships, outreach and communication with stakeholders; Native American, indigenous, and tribal programs; and the integrating of environmental justice into all Agency activities.

**TITLE:** "Waste Programs Environmental Justice Accomplishments Report: Factsheet"

**AVAILABILITY:** NTIS

**NTIS ORDER NO.:** PB95-963 298

This factsheet provides an overview of the document Waste Programs Environmental

**Justice Accomplishments Report.** A brief summary of accomplishments in five major areas are listed in the factsheet. They include: health initiative; public involvement; economic redevelopment, jobs, and worker training; contracts and grants; and partnerships.

**TITLE:** "Monthly Hotline Report"

**AVAILABILITY:** NTIS

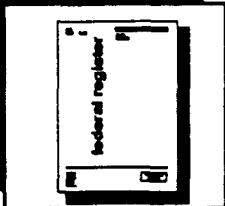
**NTIS ORDER NO.:** See below

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](http://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.

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
June 1995	PB95-922 406 530-R-95-002f
July 1995	PB95-922 407 530-R-95-002g

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.



## FEDERAL REGISTERS

### FINAL RULES

#### RCRA

##### **"Connecticut; Final Approval of State Underground Storage Tank Program"** July 5, 1995 (60 FR 34879)

EPA concluded 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. Final authorization for the program shall be effective on August 4, 1995.

##### **"Liquids in Landfills: Addition of Test Method to Demonstrate Sorbent Non-biodegradability"** July 11, 1995 (60 FR 35703)

In 1984, Congress required EPA to promulgate a rule that prohibited the disposal in hazardous waste landfills of containerized liquids that had been absorbed in biodegradable materials. EPA has granted a petition to add a third test method to demonstrated that a sorbent is non-biodegradable. If significant adverse comments are received, this direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule. This final action will become effective on September 11, 1995, unless EPA receives significant adverse comment on the proposal by August 10, 1995.

##### **"Arizona; Authorization of State Hazardous Waste Management Program Revisions"** July 18, 1995 (60 FR 36731)

EPA responded to the comment received on the immediate final rule published April 11, 1995 (60 FR 18356), and affirmed the Agency's decision to authorize Arizona's revised RCRA program. This rule is effective as of June 12, 1995.

##### **"Ohio; Authorization of State Hazardous Waste Management Program Revisions"** July 27, 1995 (60 FR 38502)

EPA intends to approve revisions to Ohio's hazardous waste program under RCRA. Final authorization will be effective September 25, 1995, unless EPA publishes a prior action withdrawing this immediate final rule. Comments must be received on or before August 26, 1995.

#### CERCLA

##### **"National Priorities List; Dakhue Sanitary Landfill Superfund Site"** July 24, 1995 (60 FR 37827)

EPA announced the deletion of the Dakhue Sanitary Landfill Site, located in Cannon Falls, Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on March 15, 1995 (60 FR 13944). EPA and the State of Minnesota have 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 July 24, 1995.

## PROPOSED RULES

### RCRA

#### **"Liquids in Landfills: Addition of Test Method to Demonstrate Sorbent Non-biodegradability"** July 11, 1995 (60 FR 35718)

In 1984, Congress required EPA to promulgate a rule that prohibited the disposal in hazardous waste landfills of containerized liquids that had been absorbed in biodegradable materials. EPA has issued a proposed rule to grant a petition to add a third test method that demonstrates the non-biodegradability of sorbents. Written comments must be received by August 10, 1995.

#### **"Identification and Listing of Hazardous Waste in the Dye and Pigment Industries: Extension of Comment Period"** July 17, 1995 (60 FR 36377)

EPA again extended the comment period for the proposed listing determination on a number of wastes generated during the production of dyes and pigments, which appeared in the Federal Register on December 22, 1994 (59 FR 66072). Comments must now be received by October 17, 1995.

#### **"Hazardous Waste Management System; Testing and Monitoring Activities"** July 25, 1995 (60 FR 37974)

EPA is proposing to revise certain testing methods and to add several new testing methods that may be used to comply with the requirements of Subtitle C of RCRA. The new and revised methods, designated as Update III, are proposed to be added to the Third Edition of Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846). In addition, EPA is proposing to delete several obsolete methods from SW-846 and the RCRA regulations. Comments must be submitted on or before September 25, 1995.

#### **"Wyoming; Final Authorization of State Hazardous Waste Management Program"** July 27, 1995 (60 FR 38537)

EPA has reviewed Wyoming's application for final authorization of its hazardous waste regulatory program under RCRA and has made the tentative decision that Wyoming's hazardous waste program satisfies all of the requirements necessary to qualify for final authorization. EPA intends to grant final authorization to the state to operate its hazardous waste program. A public hearing is scheduled for August 29, 1995. All comments must be received by August 28, 1995.

### CERCLA

#### **"National Priorities List; Brown Wood Preserving Superfund Site"** July 6, 1995 (60 FR 35160)

EPA announced its intent to delete the Brown Wood Preserving Site, located in Live Oak, Florida, from the National Priorities List.

EPA and the State of Florida have 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. Comments concerning the proposed deletion will be accepted through August 7, 1995.

**"National Priorities List; Stewco, Incorporated Superfund Site"**  
July 26, 1995 (60 FR 38297)

EPA Region 6 announced its intent to delete the Stewco, Incorporated Site, located in Waskom, Texas, from the National Priorities List. EPA and the State of Texas have 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. Comments concerning the proposed deletion will be accepted through August 25, 1995.

## NOTICES

### RCRA

**"Massachusetts; Adequacy Determination of State/Tribal Municipal Solid Waste Permit Program"**  
July 5, 1995 (60 FR 34982)

Pursuant to RCRA §4005(c)(1)(C), EPA has concluded that the Commonwealth of Massachusetts' municipal solid waste landfill permitting program meets all of the statutory and regulatory requirements established by RCRA. EPA has therefore granted a final determination of adequacy for all portions of Massachusetts' municipal solid waste permit program. The determination of adequacy for Massachusetts will be effective on July 5, 1995. EPA also noted that the Agency intends to propose a State/Tribal Implementation Rule

(STIR). STIR will provide procedures by which EPA will approve, or partially approve, State/Tribal landfill permit programs.

**"Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers"**  
July 7, 1995 (60 FR 35452)

EPA has issued a notice correcting an error in the December 6, 1994, Subpart CC Federal Register (59 FR 62896). On page 62912, in the second column, in the second line, "CESA" should read "CE2A."

**"Hazardous Waste Disposal Injection Restrictions; Final Approval for Case-By-Case Extension"**  
July 10, 1995 (60 FR 35558)

EPA granted final approval to Great Lakes Chemical Corporation (Great Lakes) in El Dorado, Arkansas for an additional case-by-case extension for specific injected wastes. The applicant successfully demonstrated that there was insufficient capacity to manage its waste and has entered into a binding contractual commitment to construct or otherwise provide such capacity. This approved extension of the LDR effective date becomes effective June 30, 1995.

**"Proposed Consent Decree; Saranac, Michigan Facility"**  
July 13, 1995 (60 FR 36163)

A Consent Decree in United States v. Lacks Industries, Inc. was lodged with the U.S. District Court for the District of Michigan on June 29, 1995. The proposed decree requires Lacks to comply with several RCRA provisions, perform corrective action measures, and pay a \$250,000 civil penalty.

**NOTICES**

DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Settlement Agreement and Order; Aero Plating Works Facility"**  
July 19, 1995 (60 FR 37077)

A proposed Settlement Agreement and Order in United States v. Maiorano was lodged with the U.S. District Court for the Northern District of Illinois on July 7, 1995. The proposed decree requires the defendants to pay \$8,000 into an account that will be used to pay for the costs of necessary closure activities. DOJ will receive comments for a period of 30 days from the date of publication.

**"Hazardous Waste Disposal Injection Restrictions; Intent to Grant a Modification"**  
July 24, 1995 (60 FR 37892)

EPA has proposed to allow the modification of BP Chemicals, Inc.'s (BPCI) exemption from the LDR ban on disposal of certain hazardous waste through injection wells for BPCI's site in Lima, Ohio. EPA determined with a reasonable degree of certainty that BPCI's injected wastes will not migrate out of the injection zone within the next 10,000 years. Comments will be accepted on or before September 11, 1995.

**"Ash from Municipal Solid Waste Combustion"**  
July 24, 1995 (60 FR 37896)

EPA announced the availability of the guidance document, Guidance for the Sampling and Analysis of Municipal Waste Combustion Ash for the Toxicity Characteristic. The Agency developed the guidance to assist generators of ash from municipal solid waste combustors in

determining whether their ash exhibits the toxicity characteristic.

**"Vermont; Adequacy Determination of State/Tribal Municipal Solid Waste Permit Program"**  
July 26, 1995 (60 FR 38327)

Pursuant to RCRA §4005(c)(1)(C), EPA gave notice of a tentative determination, public hearing, and public comment period concerning the adequacy of Vermont's municipal solid waste landfill permit program. Comments must be submitted on or before August 25, 1995. If comments reflect significant interest, a public hearing will be held on October 12, 1995.

**RCRA/CERCLA**

**"Proposed Consent Decree; Yellow Water Road Superfund Site"**  
July 14, 1995 (60 FR 36309)

A proposed consent decree in United States v. American National Can Company, et al. was lodged on July 5, 1995, with the U.S. District Court for the Middle District of Florida. The Consent Decree provides a covenant not to sue by the United States under CERCLA §§106 and 107 and under §7003 of RCRA in connection with the Yellow Water Road Superfund Site near Baldwin, Florida. In exchange, the settling parties will perform remedial actions at the site and will reimburse the United States for past and future costs incurred in relation to the site. DOJ will receive comments for a period of 30 days from the date of publication.

**NOTICES****"Proposed Consent Decree; Coakley Landfill Superfund Site"**  
July 20, 1995 (60 FR 37473)

A proposed consent decree in United States v. Coakley Landfill, Inc., et al., was lodged on July 11, 1995, with the U.S. District Court for the District of New Hampshire. Under the proposed Consent Decree, the defendants will pay \$686,927 to the Hazardous Substances Superfund for past and future response costs incurred by EPA, \$89,261 to DOI for natural resource damages, and \$66,212 to the State of New Hampshire for past and future response costs incurred by the state. In exchange, the Consent Decree provides for a covenant not to sue, under §§106 and 107 of CERCLA and §7003 of RCRA. DOJ will receive comments for a period of 30 days from the date of publication.

**CERCLA****"Final Policy Toward Owners of Property Containing Contaminated Aquifers"**  
July 3, 1995; (60 FR 34790)

EPA announced and published a policy stating the Agency's position that, subject to certain conditions, where hazardous substances have come to be located on or in a property solely as the result of subsurface migration in an aquifer from a source or sources outside the property, EPA will not take enforcement actions against the owner of such property.

**"Agreements With Prospective Purchasers of Contaminated Property"**  
July 3, 1995; (60 FR 34792)

EPA announced and published new guidance clarifying when the Agency will provide a covenant not to sue a prospective purchaser of contaminated property under CERCLA. The new guidance, which supersedes previously published Agency policy toward prospective purchasers, essentially expands the criteria by which the Agency will consider entering into prospective purchaser agreements, while also expanding the universe of eligible sites. A model prospective purchaser agreement is included in the new guidance.

**"Correction to Final Rule; Reportable Quantity Adjustments"**  
July 10, 1995 (60 FR 35492)

This notice corrects errors in the amendatory language of the June 12, 1995 final rule which adjusted reportable quantities for certain hazardous substances under CERCLA (60 FR 30926).

**"Proposed Consent Decree; Dixiana Superfund Site"**  
July 13, 1995 (60 FR 36163)

A proposed consent decree in United States v. Monsanto Company, et al., was lodged on July 3, 1995, with the U.S. District Court for the District of South Carolina. Under the proposed Consent Decree, the United States has obtained from the defendants \$4,132,837 for past response costs, as well as a commitment for payment of all of EPA's future oversight costs incurred in connection with the Dixiana Superfund Site in Lexington

**NOTICES**

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

**"Proposed Consent Decree; Olin Chemical/McIntosh Plant"**  
**July 14, 1995 (60 FR 36309)**

A proposed consent decree in United States v. Olin Corporation was lodged on July 5, 1995, with the U.S. District Court for the Southern District of Alabama, Southern Division. This Agreement would resolve a judicial enforcement action brought by the United States against Olin Corporation, pursuant to §§106 and 107 of CERCLA, in connection with the Olin Chemical/McIntosh Plant Superfund Site in McIntosh, Alabama. Under the proposed Consent Decree, Olin Corporation has agreed to pay past response costs and future oversight costs associated with the site, and has accepted responsibility for further remedial actions. DOJ will receive comments for a period of 30 days from the date of publication.

**"National Priorities List; Whidbey Island Seaplane Base Superfund Site"**  
**July 18, 1995 (60 FR 36770)**

EPA Region 10 announced its intent to delete the Whidbey Island Seaplane Base Site from the National Priorities List. EPA and the State of Washington have 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. Comments concerning the proposed deletion will be accepted through August 17, 1995.

**"Proposed Consent Decree; Carolawn Superfund Site"**  
**July 19, 1995 (60 FR 37076)**

A proposed consent decree in United States v. AAF McQuay, Inc., et al. was lodged on June 30, 1995, with the U.S. District Court for the District of South Carolina. Under the proposed Consent Decree, 30 PRPs (referred to as the "SEPCO Group") will pay \$292,500 in response costs associated with the remedial action at the Carolawn Superfund Site, located near Fort Lawn, South Carolina. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Consent Decree; Titan Lighting Superfund Site"**  
**July 19, 1995 (60 FR 37076)**

A proposed consent decree in United States v. A.O.W. Capitol Associates, et al. was lodged on July 5, 1995, with the U.S. District Court for the District of New Jersey. Under the proposed Consent Decree, the defendants have agreed to pay the United States \$180,000 for response costs incurred by EPA at the Titan Lighting Superfund Site in Trenton, New Jersey. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Consent Decree; Dickerson Post Superfund Site"**  
**July 19, 1995 (60 FR 37077)**

A proposed consent decree in United States v. Amtreco, Inc., et al. was lodged on June 14, 1995, with the U.S. District Court for the Middle District of Georgia. Under the proposed Consent Decree, AT&T Corporation, Western Electric Company, Inc., and Lee Engineering & Construction Company will pay a total of \$140,500 for past response costs

**NOTICES**

incurred in connection with the Dickerson Post Superfund Site in Clinch County, Georgia. DOJ will receive comments for a period of 30 days from the date of publication.

**"Consent Decree; Maxey Flats Disposal Superfund Site"**  
July 19, 1995 (60 FR 37078)

Two consent decrees in United States v. U.S. Ecology, Inc., et al. were lodged on June 5, 1995, with the U.S. District Court for the Eastern District of Kentucky. One Consent Decree, the "De Maximus Consent Decree," provides for the design and implementation of a remedy for the Maxey Flats Disposal Superfund Site in Fleming County, Kentucky, and for the reimbursement of \$5.313 million in response costs incurred by EPA. The second Consent Decree, the "De Minimis Consent Decree," provides for the reimbursement of costs incurred by the United States and certain private parties in responding to the release and threatened release of hazardous substances at the site. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Consent Decree; Blosenski Landfill Superfund Site"**  
July 20, 1995 (60 FR 37473)

Three proposed consent decrees in United States v. Joseph M. Blosenski, Jr., et al. were lodged on July 11, 1995, with the U.S. District Court for the Eastern District of Pennsylvania. Each of the proposed Consent Decrees, in conjunction with the Blosenski Landfill Superfund Site in West Caln Township, Pennsylvania, requires payment (and in some cases promises of future work at the site) by the settling parties, in exchange for resolution

of the United States' cost and penalty claims against those parties. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Settlement Agreement; Hylebos Waterway Problem Areas of the Commencement Bay Nearshore/Tideflats Superfund Site"**  
July 20, 1995 (60 FR 37474)

A proposed settlement agreement was lodged on July 11, 1995, with the U.S. Bankruptcy Court for the Northern District of Ohio in In re SiMETCO, Inc. The proposed Settlement Agreement settles a claim relating to costs incurred by EPA at the Hylebos Waterway Problem Areas of the Commencement Bay Nearshore/Tideflats Superfund Site in Pierce County, Washington. Under the proposed Settlement Agreement, SiMETCO, Inc., will make appropriate payment in exchange for a covenant not to sue, pursuant to CERCLA §§106 and 107, by the United States. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Purchaser Agreement; Middletown Airfield Superfund Site"**  
July 24, 1995 (60 FR 37896)

EPA executed a proposed Purchaser Agreement associated with the Middletown Airfield Superfund Site on June 21, 1995. The Purchaser Agreement would resolve certain potential EPA claims under §§106 and 107 of CERCLA against the prospective purchaser, First Industrial Harrisburg, L.P. The purchaser would be required to pay \$75,000 to the Hazardous Substances Superfund, provide site access, cooperate fully with response activities,

**NOTICES**

and exercise due care to protect public health and safety at the site. Written comments will be accepted for 30 days from the date of publication.

**"Proposed Consent Decree; Lowry  
Landfill Superfund Site"  
July 24, 1995 (60 FR 37903)**

A proposed consent decree in United States v. Alumet Partnership, et al. was lodged on July 10, 1995, with the U.S. District Court for the District of Colorado. The proposed Consent Decree is a "cash-out" decree which requires a payment of \$7.28 million and resolves the United States' cost claims against the Alumet Partnership in connection with the Lowry Landfill Superfund Site in Arapahoe County, Colorado. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Consent Decree; Carolawn  
Superfund Site"  
July 19, 1995 (60 FR 37076)**

**This is an exact duplicate of a  
notice which appeared on July 19  
(60 FR 37076)**

A proposed consent decree in United States v. AAF McQuay, Inc., et al. was lodged on June 30, 1995, with the U.S. District Court for the District of South Carolina. Under the proposed Consent Decree, 30 PRPs (referred to as the "SEPCO Group") will pay \$292,500 in response costs associated with the remedial action at the Carolawn Superfund Site, located near Fort Lawn, South Carolina. DOJ will receive comments for a period of 30 days from the date of publication.

**"Proposed Consent Decree; Lowry  
Landfill Superfund Site"  
July 24, 1995 (60 FR 37903)**

**This is an exact duplicate of a  
notice which appeared on July 24  
(60 FR 37903)**

A proposed consent decree in United States v. Alumet Partnership, et al. was lodged on July 10, 1995, with the U.S. District Court for the District of Colorado. The proposed Consent Decree is a "cash-out" decree which requires a payment of \$7.28 million and resolves the United States' cost claims against the Alumet Partnership in connection with the Lowry Landfill Superfund Site in Arapahoe County, Colorado. DOJ will receive comments for a period of 30 days from the date of publication.

**"Federal Facilities Environmental  
Restoration Dialogue Committee  
Meeting"  
July 26, 1995 (60 FR 38327)**

EPA announced a public meeting of the Federal Facilities Environmental Restoration Dialogue Committee to be held August 1-2, 1995. The purpose of the meeting is to discuss issues related to improving the federal facilities environmental restoration process.

**"Proposed Consent Decree"  
July 27, 1995 (60 FR 38575)**

A proposed Consent Decree in United States v. Terry Shaner, et al. was lodged on July 10, 1995, with the U.S. District Court for the Eastern District of Pennsylvania. The proposed Consent Decree requires the current site owners/operators to do three things: enter

**NOTICES**

into a Consent Judgement for payment of \$50,000 (over time), based on EPA's assessment of their inability to pay their fair share of response costs; convey a conservation easement to General Battery Corporation (another signatory to the Decree); and waive any claims for Takings under the Fifth Amendment of the U.S. Constitution as well as claims for statutory relocation benefits. Under the same Decree, General Battery Corporation (GBC) has agreed to pay \$3,000,000 reimbursement to the Hazardous Substances Superfund and a portion of EPA's future response costs, as well as \$24,000 for natural resource damages plus up to \$10,000 of DOI's future costs. GBC is also required to perform certain removal activities and to protect natural resources at the site. DOJ will receive comments for a period of 30 days from the date of publication.

screen people at significant increased risk for disease is appropriate, as well as requirements for establishing a medical monitoring programs at CERCLA sites.

**"Revised Model CERCLA RD/RA  
Consent Decree"  
July 28, 1995 (60 FR 38817)**

EPA published a revised version of the Model CERCLA RD/RA Consent Decree which supersedes the 1991 interim Model. The substantive changes contained in the revised Model Consent Decree are designed to enhance the fairness and increase the number of settlements in which PRPs agree to implement government-selected remedies at Superfund sites.

**"ATSDR's Final Criteria for Determining  
the Appropriateness of a Medical  
Monitoring Program Under CERCLA"  
July 28, 1995 (60 FR 38840)**

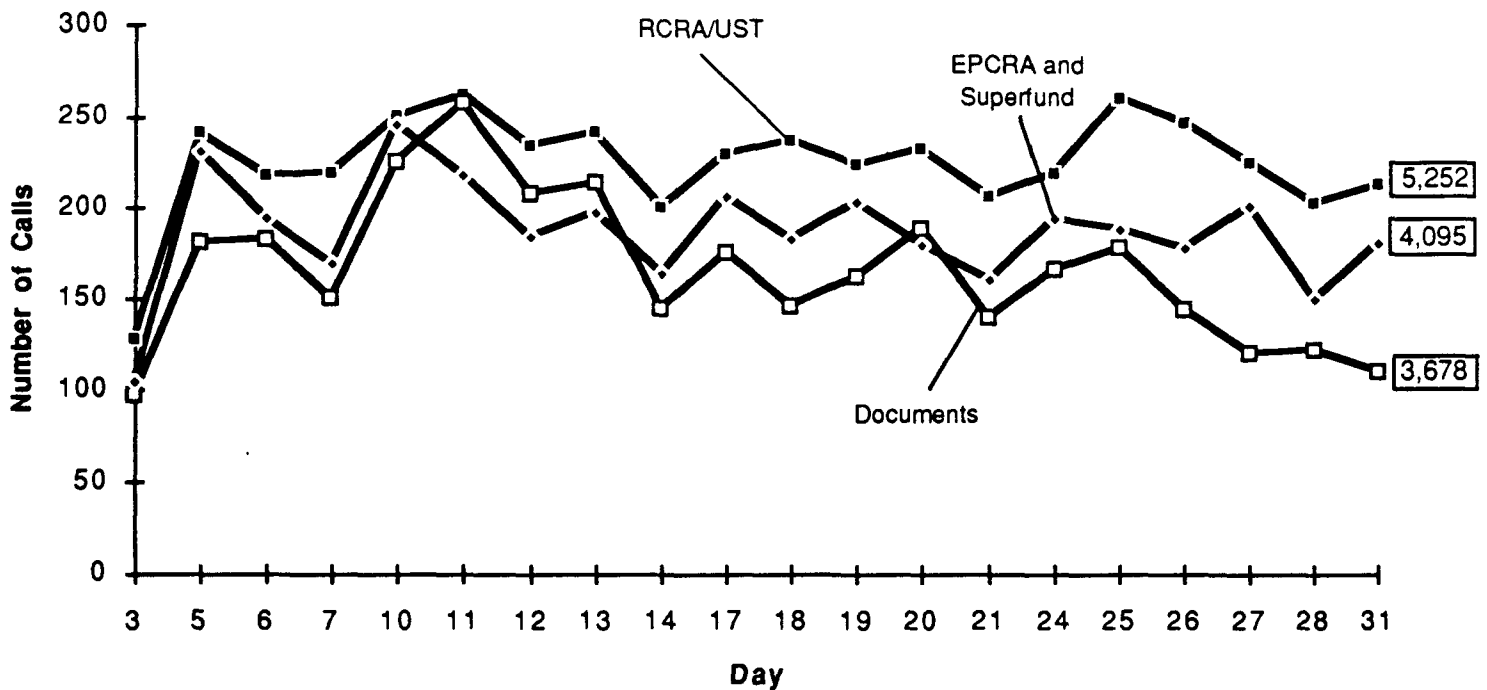
The Agency For Toxic Substances Disease Registry announced and published the criteria to determine when periodic medical testing to



## CALL ANALYSES

### CALLS ANSWERED BY HOTLINE

#### July Daily Volume\*

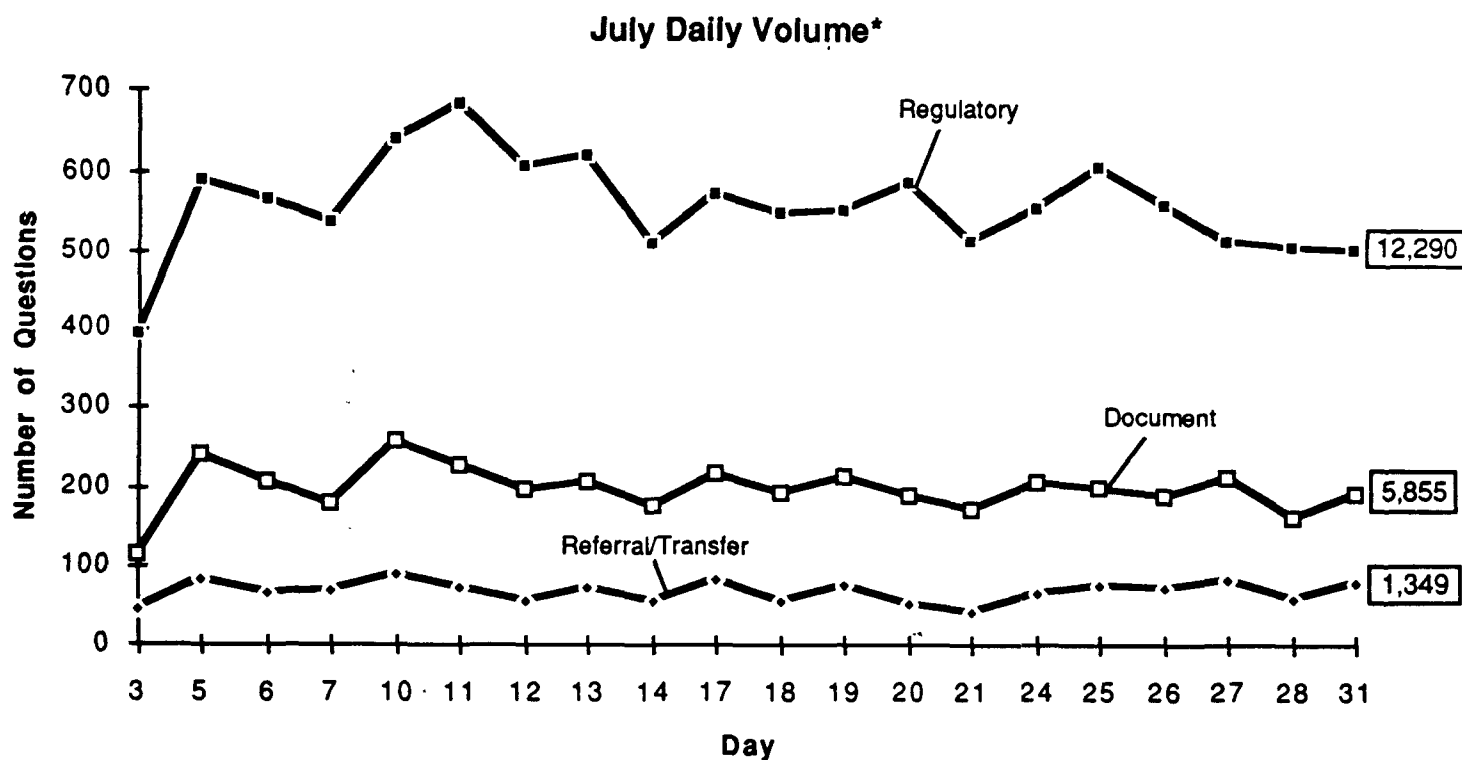


#### Year to Date\*

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
June	6,834	38,488	June	7,707	26,383	June	5,283	28,855
July	5,252	43,740	July	4,095	30,478	July	3,678	32,533

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

# QUESTIONS ANSWERED BY TYPE

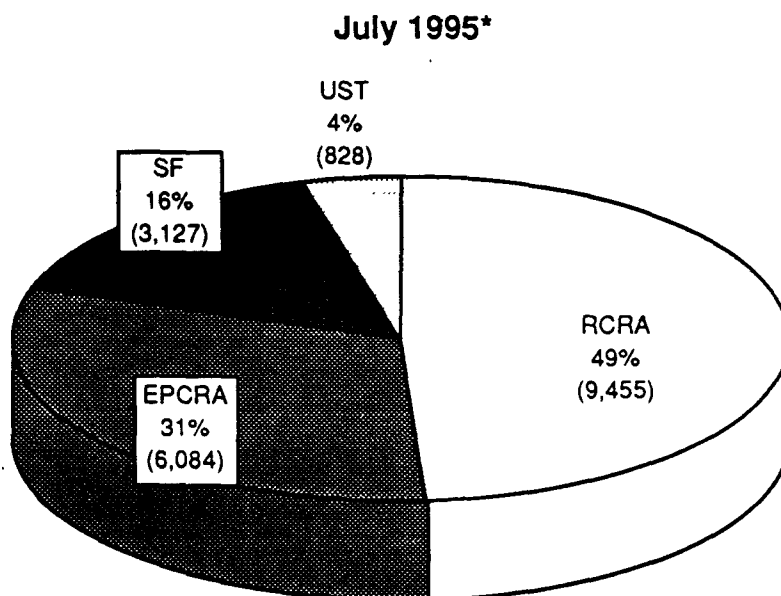


## Year to Date\*

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
June	19,381	79,327	June	7,924	37,496	June	2,276	10,210
July	12,290	91,617	July	5,855	43,351	July	1,349	11,559

\* 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**



\*Based on 18,145 questions and excludes 1,349 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)
June	45% (13,075)	52% (64,765)	3% (980)	5% (6,182)	41% (12,127)	30% (37,727)	11% (3,399)	13% (16,841)
July	49% (9,455)	51% (74,220)	4% (828)	5% (7,010)	31% (6,084)	30% (43,811)	16% (3,127)	14% (19,968)

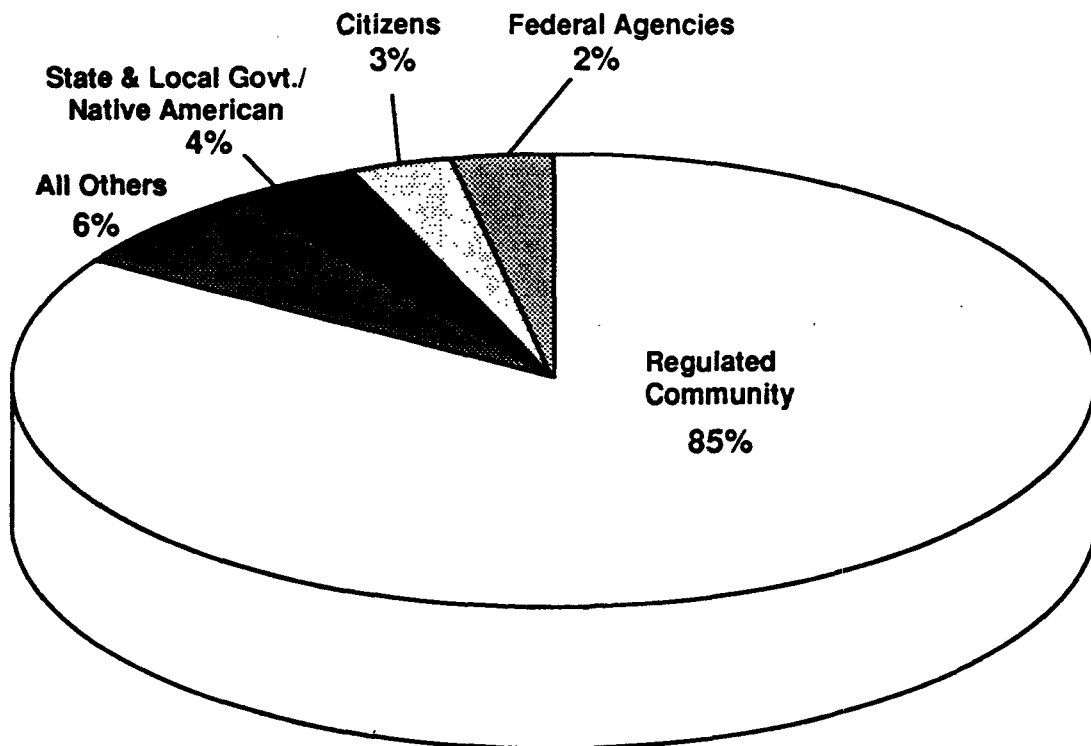
## CALLER PROFILE

### RCRA/UST Hotline

Regulated Community	5,129
Citizens	178
State & Local Govt./Native American	218
Federal Agencies	132
Educational Institutions	120
EPA	106
Media	13
Interest Groups	7
Congress	2
International	9
Other	102
Referrals*	377
Transfers to EPCRA/Superfund Hotline*	340
Document Retrieval Line*	113
Message Retrieval Line*	758

**TOTAL**

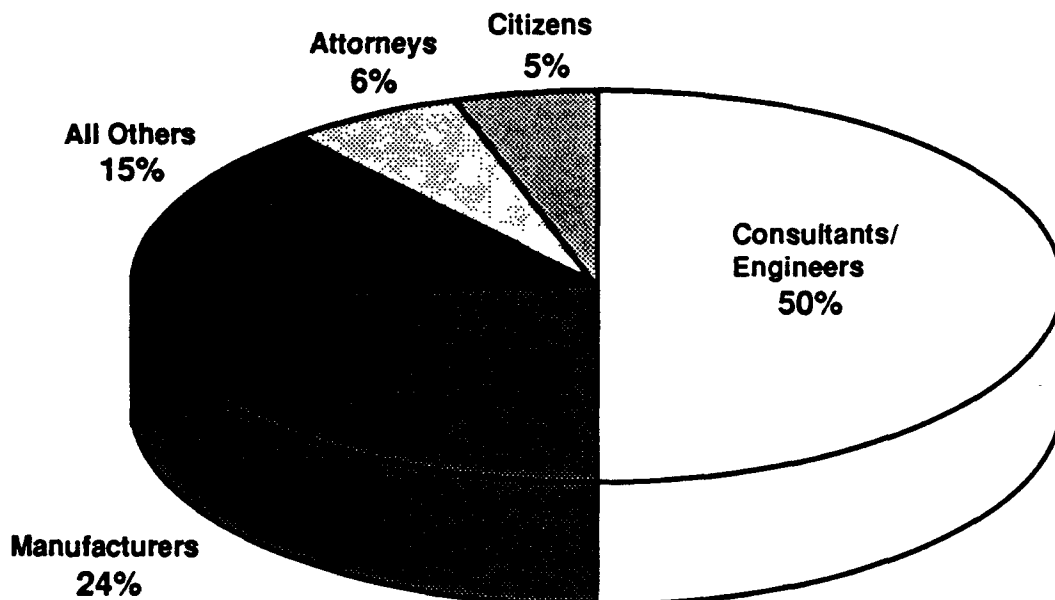
**7,604**



\* No caller profile data available.

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

<b>Manufacturers</b>		<b>Consultants/Engineers</b>	<b>2,538</b>
Food/Tobacco	57	Attorneys	309
Textiles	38	Citizens	233
Apparel	26	Public Interest Groups	24
Lumber & Wood	31	Educational Institutions	73
Furniture	25	EPA	60
Paper	39	Federal Agencies	151
Printing & Publishing	39	GOCOs	11
Chemicals	165	Congress	3
Petroleum & Coal	56	State Officials/SERCs	78
Rubber & Plastics	42	Local Officials/LEPCs	133
Leather	33	Fire Departments	16
Stone, Clay & Glass	62	Hospitals/Laboratories	35
Primary Metals	55	Trade Associations	22
Fabricated Metals	64	Union/Labor	0
Machinery (Excluding Electrical)	61	Farmers	2
Electrical & Electronic Equipment	22	Distributors	11
Transportation Equipment	61	Insurance Companies	4
Instruments	29	Media/Press	14
Misc. Manufacturing	279	Native Americans	0
		International	1
		Other	125
		Referrals*	271
<b>Subtotal</b>	<b>1,184</b>	<b>Transfers to RCRA/UST Hotline*</b>	<b>361</b>
		<b>Document Retrieval Line*</b>	<b>0</b>
		<b>Message Retrieval Line*</b>	<b>1,054</b>
		<b>TOTAL</b>	<b>6,713</b>



\* No caller profile data available.

## HOTLINE TOPICS

### RCRA

**RCRA GENERAL** 1,023

#### SUBTITLE C

**Hazardous Waste Id. - General** 1,314<sup>1</sup>

Toxicity Characteristic (TC) 175

Wood Preserving Wastes 39

Listing of Used Oil 73

Fluff 0

**Mercury-Containing Lamps** 330<sup>1</sup>

Radioactive Mixed Waste 21

Delisting Petitions 17

**Hazardous Waste Recycling** 695<sup>1</sup>

**Generators** 928<sup>1</sup>

Small Quantity Generators 237

Transporters 73

Exports/Imports 21

**TSD General** 504<sup>1</sup>

Treatment 99

Storage 65

Disposal 87

Siting Facilities 11

Capacity 17

**Land Disposal Restrictions** 766<sup>1</sup>

Permits and Permitting 175

Corrective Action 213

Liability/Enforcement 143

Test Methods 141

Health Effects 20

Combustion - General 176

Permitting 18

Tech. Standards/Combustion Units 29

Waste Minimization 57

Risk Assessment 7

Waste Minimization/Pollution Prevention 74

State Programs 103

Hazardous Waste Data 55

Military Munitions 18

#### SUBTITLE D

**Household Hazardous Wastes** 202

**Subtitle D - General** 232<sup>1</sup>

Siting Facilities 6

Combustion 30

Industrial Waste 35

**Solid Waste Recycling - General** 299<sup>1</sup>

Aluminum 15

Batteries 22

Glass 11

Paper 47

Plastics 37

Tires 21

Used Oil 113

Composting 62

Markets - General 24

Aluminum 4

Batteries 33

Compost 14

Glass 2

Paper 13

Plastics 8

Tires 6

Used Oil 34

**Procurement General** 139<sup>1</sup>

Building Insulation 9

Cement/Cement Products with Fly Ash 7

Paper and Paper Products 82

Re-Refined Lubricating Oil 19

Retread Tires 7

Source Reduction/Pollution Prevention 33

Grant and Financing 7

#### OTHER WASTES

Ash 20

Bevill Amendment (Mining Waste) 23

Medical Waste 104

Oil and Gas 11

**TOTAL** 9,455\*

\* Includes 2,655 RCRA document requests.

### UST

**General/Misc.** 169<sup>1</sup>

Applicability/Definitions 86

Regulated Substances 26

Standards for New Tank Systems 29

Tank Standards and Upgrading 86

Operating Requirements 12

Release Detection 69

Release Reporting & Investigation 25

Corrective Action for USTs 129

Out-of-Service/Closure 98

Financial Responsibility 33

State Programs 27

Liability/Enforcement 26

LUST Trust Fund 13

**TOTAL** 828\*

\* Includes 923 UST document requests.

<sup>1</sup> 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:**

<b>General Title III Questions</b>	<b>528<sup>1</sup></b>
Trade Secrets	10
Enforcement	46
Liability/Citizen Suits	12
Training	4
Chemical-Specific Information	29

**Emergency Planning (§§301-303):**

General	64
Notification Requirements	31
SERC/LEPC Issues	79
EHSs/TPQs	60
Risk Communication/ Hazards Analysis	39
Exemptions	9

**Emergency Release Notification (§304):**

General	58
Notification Requirements	45
Reportable Quantities	76
CERCLA §103 vs. SARA §304	58
ARIP/AHEDB/ERNS	3
Exemptions	10

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

General	60
MSDS Reporting Requirements	38
Tier I/II Requirements	121
Thresholds	33
Hazard Categories	10
Mixtures Reporting	17
Exemptions	32

**Toxic Chemical Release Inventory (§313):**

General	724 <sup>1</sup>
Reporting Requirements	715 <sup>1</sup>
Thresholds	239 <sup>1</sup>
Form R Completion	1,207 <sup>1</sup>
Supplier Notification	93
NOTEs/NOSEs/NONs	61
Voluntary Revisions	487
Pollution Prevention 33/50	15
Public Access to Data	103
TRI Database	63
Petitions	277
TRI Expansion	235
Exemptions	205 <sup>1</sup>

**Special Topics:**

CAA §112	
<b>General</b>	<b>34<sup>1</sup></b>
<b>RMPs</b>	<b>49<sup>1</sup></b>
List of Regulated Substances	17
Federal Facilities Executive Order	88

**TOTAL 6,084**\*Includes 1,835 Emergency Planning and Community  
Right-to-Know document requests**SUPERFUND**

General/Misc.	205
Access & Information Gathering	46
Administrative Improvements	
General	157
<b>Environmental Justice/Brownfields</b>	<b>194<sup>1</sup></b>
SACM/Presumptive Remedies	121
Soil Screening Levels	63
Administrative Record	15
ARARs	133
CERCLIS	103
Citizen Suits	9
Claims Against Fund	8
Clean-Up Costs	40
Clean-Up Standards	77
Community Involvement	53
Contract Lab Program (CLP)	15
Contractor Indemnification	9
Contracts	15
Definitions	28
Enforcement	57
Federal Facilities	26
Hazardous Substances	123
HRS	15
Liability	106
Local Gov't Reimbursement	29
Natural Resource Damages	25
NCP	70
Notification	76
<b>NPL</b>	<b>175<sup>1</sup></b>
Off Site Rule	16
OSHA	5
PA/SI	20
PRPs	96
RD/RA	25
Reauthorization	23

<sup>1</sup> Hot topics for this month

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Remedial	121
Removal	55
RI/FS	46
Risk Assess./Health Effects	55
ROD	42
<b>RQ</b>	<b>536<sup>1</sup></b>
Settlements	29
SITE Program	27
State Participation	6
State Program	13
TAGs	2
Taxes	10
Special Topics	
Oil Pollution Act	2
SPCC Regulations	10
Radiation Site Cleanup	45

**TOTAL 3,127\***

\*Includes 942 Superfund document requests.

<b>TOTAL HOTLINE QUESTIONS, DOCUMENT REQUESTS AND REFERRALS:</b>	<b>19,494</b>
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<sup>1</sup> 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.