

3 DAYS ONLY

EPA530-R-96-002c ✓
SUB-9224-96-003

MONTHLY HOTLINE REPORT

March 1996

RCRA, Superfund, and EPCRA



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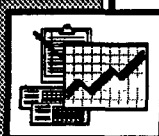
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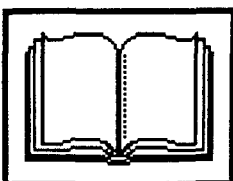
RCRA, Superfund, and EPCRA
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MONTHLY HOTLINE REPORT

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

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Yearly Subscription	SUB-9224
January 1996	SUB-9224-96-001 EPA530-R-96-002a
February 1996	SUB-9224-96-002 EPA530-R-96-002b
March 1996	SUB-9224-96-003 EPA530-R-96-002c

EPA and state personnel can order the Monthly Hotline Report from the RCRA Docket at (703) 603-9230. The order number for the 1996 yearly subscription is EPA530-R-96-001.



HOTLINE QUESTIONS AND ANSWERS

RCRA

1. Frequently Asked Questions on Compliance with Part 268 Land Disposal Restrictions Treatment Standards

If a waste is subject to the land disposal restrictions, where can its treatment standard be found?

The table of "Treatment Standards for Hazardous Wastes" (40 CFR §268.40) lists by waste code each waste that is subject to the land disposal restrictions (LDR); each waste code entry identifies either the hazardous constituents subject to treatment and their applicable treatment levels, or the specific treatment technology that must be applied to the waste.

If the §268.40 "Treatment Standards for Hazardous Wastes" identifies the treatment standard applicable to each particular waste, what are the "Universal Treatment Standards" in §268.48?

The "Universal Treatment Standards" (UTS) table is an alphabetical list of all the hazardous constituents referenced in the "Treatment Standards for Hazardous Wastes." While the UTS lists the numeric treatment level for every hazardous constituent, only the §268.40 table of "Treatment Standards for Hazardous Wastes" identifies the standard to which a waste must be treated prior to land disposal.

Why would a handler of a restricted or prohibited waste consult the §268.48 UTS?

The table "Treatment Standards for Hazardous Wastes" notes that certain characteristic wastes, in addition to complying with the treatment standard for the specific constituent or characteristic, must also "meet §268.48 standards." Characteristic wastes subject to this additional treatment requirement must meet both the concentration limit (or technology) for that particular waste code and the UTS levels for each underlying hazardous constituent (defined in §268.2) likely to be present at the point of generation.

Under what circumstances are listed wastes subject to the §268.48 UTS?

While characteristic wastes often vary significantly in composition, each listed waste is, by definition, fairly uniform in the hazardous constituents it contains. As a result, the treatment standard listed in the §268.40 "Treatment Standards for Hazardous Wastes" is able to address all of the hazardous constituents that are commonly of concern for each particular listed waste. Therefore, listed wastes treated to their waste code-specific treatment standards identified in §268.40 will not require additional treatment for underlying hazardous constituents. Only listed wastes that also exhibit a characteristic not addressed in the treatment standard for the listed waste (§268.9(b)) could be required to meet UTS for underlying hazardous constituents.

Until Phase IV of LDR is finalized, characteristic metal wastes are subject to less stringent treatment standards for metal constituents than are wastes whose treatment standards require compliance with the UTS of §268.48. Where a characteristic metal waste also exhibits another characteristic that renders it subject to compliance with UTS levels, would the waste need to meet the more stringent standard for the metal constituent?

Section 268.9(b) requires wastes to “meet the treatment standards for all applicable listed and characteristic waste codes.” In the rare case where a waste is subject to multiple treatment standards for a particular constituent, the more stringent treatment standard will continue to apply.

2. Removal of Hazardous Waste Management Unit for Subpart CC Compliance

The effective date of the 40 CFR Parts 264/265, Subpart CC air emission standards is June 6, 1996. Owners and/or operators who are unable to install the appropriate air emission controls on affected tanks, surface impoundments, and containers by the effective date of the rule are given the opportunity to establish an implementation schedule for the installation of required equipment. In all cases, owners and/or operators must have all controls installed by December 8, 1997 (§265.1082). Is the removal of an affected unit from service an acceptable means of compliance with the Subpart CC standards? If so, can the owner and/or operator continue to manage hazardous waste in the unit without the appropriate air emission controls if he or she is unable to remove the unit from service prior to the June 6, 1996, provided that documentation of the intentions to remove the unit from service by December 8, 1997, is placed in an implementation schedule?

Removal of a tank, surface impoundment, or container from service is an acceptable means of compliance with the Subpart CC standards. If, however, removal of the unit does not occur before the June 6, 1996, effective date, all required air emission controls must be installed on the unit if it continues to manage hazardous waste. When it is not possible to install the appropriate controls by the effective date of the rule, owners and/or operators must prepare an implementation schedule in accordance with the guidelines established in §265.1082.

Preparation of an implementation schedule is not an automatic extension to the effective date of the Subpart CC standards until December 8, 1997. In all cases, owners and/or operators must document in the schedule the reasons why required controls cannot be in place by the effective date and must make all efforts to install the equipment as soon as possible, but no later than December 8, 1997. Thus, in order to continue managing hazardous waste after the effective date of the air emission requirements in a unit scheduled for removal without the required controls, an owner and/or operator must be able to demonstrate why the unit cannot be removed before June 6, 1996, and why the necessary controls cannot be installed. An implementation schedule describing the removal of an affected unit must be prepared and placed in the facility's operating record. The owner and/or operator can continue to operate the unit without air emission controls while he or she is implementing the schedule.

3. Generators and Designated Transporters

In the normal course of transportation, a designated transporter is unable to deliver a manifested shipment of hazardous waste to the designated facility. To complete delivery of the waste shipment, the transporter would like to

hire a second carrier. Must the transporter seek the approval of the generator who initiated the shipment in order to make these changes to the chain of transportation?

Yes. Choosing the sequence of transporters that will deliver a waste to the designated facility is the sole responsibility of the hazardous waste generator, and changes to the chain of transportation require the approval of the generator.

A properly completed manifest identifies the full sequence of transporters that will conduct hazardous waste to a designated facility. The directions for the Uniform Hazardous Waste Manifest, found in the Appendix to 40 CFR Part 262, specifically instruct generators to provide the name and EPA identification number of the first transporter (Items 5 and 6), and if necessary, of the second transporter (Items 7 and 8). The instructions further direct generators to use a continuation sheet to identify additional transporters as necessary (Item 8, Note).

The regulations for hazardous waste transporters do not authorize haulers to make unapproved changes to the chain of transportation delineated on the manifest. In accordance with the manifest, transporters must deliver waste solely to the designated or alternate facility, the next designated transporter, or the designated export destination (§263.21(a)). Transporters who cannot deliver waste according to the generator's designation must contact the generator for instructions and must revise the manifest to reflect the approved changes to the prescribed chain of transport (§263.21(b)). Generators alone are responsible for identification of the complete chain of transportation and must, therefore, be apprised of and approve of all deviations from that plan.

UST

4. UST Financial Responsibility and Insolvent State Trust Funds

Owners and operators of underground storage tanks (USTs) regulated under 40 CFR Part 280 must maintain financial responsibility for releases from their tanks (§280.93). UST owners and operators may demonstrate financial responsibility by obtaining coverage from a state fund that has been EPA-approved or submitted for EPA approval under §280.101. EPA Regional Offices have the authority to revoke the approval of a state's fund if the Region determines that the fund is no longer solvent. In such a circumstance, the state must then send a notice to those UST owners and operators, informing them that the state fund is no longer an acceptable mechanism for complying with the financial responsibility requirements. If, after receiving such notice, owners and operators commence UST temporary or final closure activities, will they still be subject to the federal UST financial responsibility requirements?

All owners and operators of regulated USTs, including those in states with insolvent funds, are subject to the Part 280 financial responsibility requirements, regardless of whether or not they commence UST temporary or final closure activities. UST owners and operators must maintain financial responsibility for all regulated tanks until the tanks have been properly closed or, if corrective action is required, until after corrective action has been completed and the tank has been closed in accordance with the requirements of Part 280, Subpart G. The act of commencing temporary or final closure procedures does not release UST owners or operators from their responsibility to maintain financial assurance through an approved mechanism.

Owners and operators of regulated USTs must obtain alternate financial assurance within 30 days from the date that they received notification from the state that their coverage under the state fund will no longer be acceptable as a financial responsibility mechanism (§280.110). Affected UST owners and operators may obtain alternate financial responsibility by using any one of the mechanisms listed in §§280.95 through 280.107.

5. Differences in Underground Storage Tank Leak Detection Requirements

Although petroleum underground storage tanks (USTs) and hazardous substance USTs are subject to many similar technical standards under 40 CFR Part 280, the requirements differ significantly with regard to leak detection. What are these distinctions?

The leak detection requirements for hazardous substance tanks are more stringent than those for petroleum tanks. Owners and operators of petroleum tanks can choose from the variety of leak detection systems found in §280.43. New hazardous substance tanks (those installed after December 22, 1988), on the other hand, must be equipped with secondary containment systems and interstitial monitoring devices (§280.42(b)). Existing hazardous substance tanks (those installed before December 22, 1988) may meet the requirements for petroleum tanks. However, by December 22, 1998, these existing tanks must be upgraded to meet the same leak detection standards as new hazardous substance tanks (§280.42(a)). This stricter regulation of hazardous substance tanks is based on the premise that hazardous substances that have leaked into the soil are more difficult to detect and to clean up than petroleum leaks (September 23, 1988; 53 FR 37082, 37155).

In order to meet the stricter requirements, owners and operators of hazardous substance tanks must install secondary containment systems for their tanks. This system may consist of double walled tanks, external liners, or vaults, and must be equipped with interstitial monitoring to detect leaks (§280.42(b)). All underground piping for hazardous substance tanks also must be equipped with secondary containment devices (§280.42(b)(4)). A facility may use alternate release detection methods if it receives a site specific variance from the implementing agency (§280.42(b)(5)).

On the other hand, owners and operators of petroleum tanks can choose a leak detection system from those found in §280.43. These options include inventory control and tank tightness testing, manual tank gauging and tank tightness testing, automatic tank gauging, vapor monitoring, groundwater monitoring, and statistical inventory reconciliation (§280.43(d)-(h)). Suctioned or pressurized piping in these systems must meet leak detection requirements similar to those for the tank (§280.41(b)). In addition, states may have more stringent UST leak detection standards than the federal requirements.

6. Replacement Equipment for Existing Underground Storage Tanks

The RCRA underground storage tank (UST) regulations in 40 CFR Part 280 provide tank design and operating standards to prevent leaks of petroleum into the environment. To that end, the regulations provide corrosion, spill, and overfill protection standards with which USTs must comply. New tanks, those installed after December 22, 1988 (as defined in §280.12), must meet these standards at installation. Existing tanks, or those installed prior to December 22, 1988, either must upgrade their tanks to meet these requirements

or close by December 22, 1998 (§§280.20 and .21). If a pipe on an existing UST is being replaced, will such replacement subject the existing tank system to the corrosion protection and spill and overfill protection requirements at that time because the new components were installed after December 22, 1988, and are therefore viewed as a new tank system?

The replacement of a part does not require the entire existing tank system to meet the upgrade requirements (i.e. corrosion protection and spill and overfill protection). Existing UST systems do not have to meet these requirements until December 22, 1998 (§280.21). New components of existing tank systems, however, are required to meet the standards for new UST systems, because the new components were installed after December 22, 1988, and are therefore viewed as a new tank system. The replacement pipe, therefore, would need to be protected from corrosion if it routinely contained product and was in contact with the soil.

In order to meet the corrosion protection requirements, the replacement pipe must be constructed of either fiberglass-reinforced plastic, cathodically-protected steel with corrosion-resistant coating, metal without corrosion protection if a corrosion expert has determined that the site will not cause the pipe to leak due to corrosion during the active life of the unit, or an alternative design approved by the implementing agency (§280.20(b)). In addition, the owner and/or operator of the UST must maintain records demonstrating such compliance (§280.34(b)).

For more information on corrosion protection, owners and operators may contact the National Association of Corrosion Engineers (NACE), the American Petroleum Institute (API), or similar trade associations. Further, UST owners and operators should

consult their implementing agencies, as some states may have more stringent requirements.

EPCRA

7. Deletion of EPCRA §313 Toxic Chemicals from the TRI Database

EPCRA §313(d) provides for the addition and deletion of chemicals from the list of toxic chemicals found at 40 CFR §372.65. When a toxic chemical is deleted, the final action is effective upon publication in the Federal Register, thereby relieving covered facilities of EPCRA §313 reporting requirements for the newly deleted chemical from the date of publication forward. If a facility submits a Form R for a newly deleted chemical, must the facility submit a formal written withdrawal request to the Agency?

Facilities need not submit a formal written withdrawal because the Agency does not enter a Form R received for a newly delisted toxic chemical into the TRI database. Facilities that submit Form Rs for that chemical will receive a Notice of Data Change informing the facility that the data on the Form R was not entered into the database due to the chemical's deletion from the toxic chemical list. The Agency does not, however, remove from the database information from Form Rs submitted for years during which the toxic chemical was listed as an EPCRA §313 toxic chemical.

In the case where only certain forms of a toxic chemical are delisted, the Agency will not automatically exclude the Form Rs because the Agency cannot determine for which form of the chemical the threshold determinations and reported data were based. For example, non-aerosol forms of sulfuric acid were delisted on June 30, 1995 (60 FR 34182), making aerosol forms the only EPCRA §313 reportable forms of sulfuric acid. In this case,

without written clarification from the facility and review of the data submitted, the Agency cannot assume Form Rs submitted for sulfuric acid for reporting year 1994 represent reporting for only non-aerosol forms of sulfuric acid. Therefore, the Agency will enter the data as received, unless the facility submits a written revision or withdrawal request, as appropriate.



NEW PUBLICATIONS

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Documents on the Gopher server may be located by using the on-line search functions.
- World Wide Web (WWW): <http://www.epa.gov>
Documents on the WWW server may be located by using the on-line search functions.

RCRA

TITLE: Universal Waste Rule (Flyer)
AVAILABILITY: Hotline
EPA ORDER NO.: EPA530-F-95-025

This flyer provides an overview of EPA's Universal Waste Rule (60 *FR* 25492; May 11, 1995), which is designed to reduce the amount of hazardous waste in the municipal solid waste (MSW) stream, encourage recycling and proper disposal of certain common hazardous wastes, and reduce the regulatory burden on businesses that generate these wastes. The document includes an overview of what universal wastes are, who is affected by the rule, and the states' role in implementation.

TITLE: Planning for Disaster Debris Cleanup
AVAILABILITY: Hotline
EPA ORDER NO.: EPA530-K-95-010

This document highlights the need for communities to plan for the cleanup of debris after a major natural disaster. It includes information about the major categories of debris such as materials from damaged buildings, sediments, green waste, personal property, and ash and charred wood. The guide also outlines federal, state, and local resources available to assist in cleanup efforts. Case studies of various communities which have been affected by natural disasters are presented to illustrate various methods of debris management. The document includes a list of references for additional information.

TITLE: Reusable News Bulletin
AVAILABILITY: Hotline
EPA ORDER NO.: EPA530-N-96-003

Reusable News is a quarterly newsletter that reports on municipal solid waste management topics. This edition includes an update on EPA's Jobs Through Recycling program, and an introduction to the "Buy Recycled Institute." The Institute, which was launched by EPA and the US Conference of Mayors, provides one-day workshops around the country to teach participants how to identify recycling markets. The newsletter also contains an overview of the services provided by the Environmental Recycling Hotline, and a summary of the goals of the National Backyard Composting Council. Brief summaries of four new solid waste management documents are also included in the newsletter. This document is available on the Internet.

TITLE: Characterization of Municipal Solid Waste in the United States: 1995 Update; Executive Summary
AVAILABILITY: Hotline
EPA ORDER NO.: EPA530-S-96-001

This document summarizes the report entitled Characterization of Municipal Solid Waste in the United States: 1995 Update. The report analyzes municipal solid waste generation and management trends in the United States from 1960 to 1994 and the benefits of source reduction and recycling. This document is available on the Internet.

TITLE: Strategy Update: A Newsletter on EPA's Hazardous Waste Minimization and Combustion Activities
AVAILABILITY: Hotline
EPA ORDER NO.: EPA530-N-96-004

This newsletter provides information on EPA's efforts in implementing the Hazardous Waste Minimization and Combustion National Plan by outlining activities which are being undertaken to support the plan. This edition of the newsletter summarizes the background and purpose of EPA's proposal to revise the technical standards for hazardous waste combustion facilities. It also includes information about how the RCRA Expanded Public Participation Rule (60 FR 63417; December 11, 1995) amends RCRA's permitting procedures. This document is available on the Internet.

TITLE: Environmental Fact Sheet: Revised Technical Standards Proposed for Hazardous Waste Combustion Facilities
AVAILABILITY: Hotline
EPA ORDER NO.: EPA530-F-96-003

This fact sheet presents an overview of the proposal to revise the emission standards for hazardous waste-burning incinerators, cement kilns, and lightweight aggregate kilns. This rule is being proposed under the joint authority of the Clean Air Act (CAA) and the Resource Conservation and Recovery Act (RCRA). The proposal fulfills EPA's commitment, as stated in the 1993 Hazardous Waste Minimization and Combustion Strategy, to upgrade the emission standards for hazardous waste-burning facilities.

TITLE: Environmental Fact Sheet: EPA Publishes Land Disposal Restrictions Treatment Standards

AVAILABILITY: Hotline

EPA ORDER NO.: EPA530-F-96-008

This fact sheet outlines the compliance options provided by EPA in order to bridge the requirements of the Clean Water Act (CWA) and the Resource Conservation Recovery Act (RCRA) for treating hazardous waste. This rule simplifies permit requirements and eases compliance by eliminating potential confusion about applicable regulatory requirements of the Land Disposal Restrictions (LDR) program. The rule establishes concentration-based treatment standards for underlying hazardous constituents found in certain wastes managed in CWA and CWA-equivalent wastewater treatment systems or injected into UIC Class I injection wells regulated under the Safe Drinking Water Act (SDWA).

UST

TITLE: Introducing TANK RACER: Software that Estimates Corrective Action Costs at Underground Storage Tank Sites

AVAILABILITY: Hotline

EPA ORDER NO.: EPA510-F-96-001

This brochure describes the software, TANK RACER, that provides comprehensive cost estimates for cleanups at leaking underground storage tank sites. The brochure provides order information for persons interested in the software and the accompanying training workshop.

CERCLA

TITLE: Close Out Procedures for National Priorities List Sites

AVAILABILITY: NTIS

NTIS ORDER NO.: PB95-963 241

This guidance document is designed primarily for use by the EPA's Remedial Project Managers (RPMs). It provides procedural information on accomplishing operable unit completion, construction completion, site completion, and site deletion. This guidance applies only to those sites that are or were final on the NPL. It supersedes the OSWER Directive 9200.2-3A, Procedures for Completion and Deletion of National Priorities List Sites, April 1989, and its amendments, including OSWER Directives 9320.2-3B, December 29, 1989, and 9320.2-3C, February 19, 1992.

EPCRA

TITLE: NRT-RRT Information Exchange: Lessons Learned from Incidents and Exercises

AVAILABILITY: Hotline

EPA ORDER NO.: N/A

This document, produced by the National Response Team Preparedness Committee, is a compilation of surveys conducted among various agencies. It serves as a tool for sharing lessons learned from recent exercises and actual incidents. The information in this document can be used to help planners and responders further develop their emergency response plans and improve preparedness and response skills.

TITLE: Chemicals in the Environment: Public Access Information

AVAILABILITY: Hotline

EPA ORDER NO: EPA749-R-96-001a

This document is published to increase public awareness of, and access to information on toxic chemicals and pollution prevention available through the Office of Pollution Prevention and Toxics (OPPT). This issue focuses on risk from three different aspects: risk assessment, risk management, and risk communication. In this document, EPA makes a distinction between risk assessment activities and risk management activities. This document is also available on the Internet.

TITLE: TRI Reporting at Government-Owned Contractor-Operated Federal Facilities (GOCOs) 1990-1993

AVAILABILITY: Hotline

EPA ORDER NO: EPA300-R-96-003

Each year under EPCRA, facilities are required to report the presence and release of toxic or hazardous chemicals at their location. EPA then makes this data available to the public in a printed report, a computerized database, and through a variety of guidance documents. This document presents the TRI reporting activity, applicable to federal and GOCO facilities, for calendar year 1993. It specifically discusses TRI reporting, releases, off-site transfers, and chemical management at GOCOs.



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Electronic Availability

Federal Registers from October 1994 to the present related to the Hotline's program areas are accessible via modem or Internet on EPA's Public Access Servers. The servers are accessible at:

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The Federal Registers are organized by date. After accessing the Gopher or World Wide Web server, make the following selections to reach the Federal Register information:

- To access RCRA/UST and CERCLA Federal Registers on the server, choose
Rules, Regulations and Legislation -> FEDERAL REGISTER - Environmental Subset -> Waste Information
- The access EPCRA Federal Registers on the server, choose
Rules, Regulations and Legislation -> FEDERAL REGISTER - Environmental Subset -> Toxic Release Inventory

FINAL RULES

RCRA

"Georgia; Final Authorization of State Hazardous Waste Management Program Revisions"
March 7, 1996 (61 FR 9108)

Final State Authorization

"Illinois; Final Authorization of State Hazardous Waste Management Program Revisions"
March 15, 1996 (61 FR 10684)

Final State Authorization

"Technical Revision of the Federal Facility Compliance Act (FFCA) of 1992 Amendments for Hazardous Waste"

March 18, 1996 (61 FR 11089)

The FFCA provides EPA explicit authority to commence administrative enforcement actions against any department, agency, or instrumentality of the federal government that is in violation of RCRA requirements. As required by the FFCA, EPA revised its administrative rules to provide a federal department, agency, or instrumentality subject to an administrative enforcement order with the opportunity to confer with the Administrator before the administrative enforcement order becomes final. This rule is effective on March 18, 1996.

“Correction to RCRA Exclusion for Recovered Oil Inserted Into the Petroleum Refining Process”
March 26, 1996 (61 FR 13103)

EPA corrected the text of a regulatory exclusion from the definition of solid waste for recovered oil which is inserted into the petroleum refining process (§261.4(a)(12)). The corrected language revises the location in the refining process at which recovered oil can be inserted to qualify for the exclusion. The Agency intended to exclude recovered oil that is inserted into a petroleum refining process at a point at which the process removes or will remove at least some contaminants. EPA issued this correction as a direct final rule and a proposed rule in different sections of the Federal Register. The direct final rule will become effective on May 28, 1996, unless adverse comments are received by April 9, 1996. If such notification is received, EPA will withdraw the direct final rule and address the comments in a subsequent final rule.

“Louisiana: Final Authorization of State Hazardous Waste Management Program Revisions”
March 28, 1996 (61 FR 13777)

Final State Authorization

CERCLA

“National Priorities List; Arkansas City Dump Superfund Site”
March 1, 1996 (61 FR 7996)

EPA announced the deletion of the Arkansas City Dump Site, located in Arkansas City, Kansas, from the National Priorities List. The Agency published a notice of its intent to delete the site on September 20, 1995. EPA and the State of Kansas 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.

PROPOSED RULES

RCRA

“Correction to RCRA Exclusion for Recovered Oil Inserted Into the Petroleum Refining Process”
March 26, 1996 (61 FR 13129)

EPA corrected the text of a regulatory exclusion from the definition of solid waste for recovered oil which is inserted into the petroleum refining process (§261.4(a)(12)). The corrected language revises the location in the refining process at which recovered oil can be inserted. The Agency intended to exclude recovered oil that is inserted into a petroleum refining process at a point at which the process removes or will remove at least some contaminants. EPA issued this correction as a direct final rule and a proposed rule in different sections of the Federal Register. The direct final rule will become effective on May 28, 1996, unless adverse comments are received by April 9, 1996. If such notification is received, EPA will withdraw the direct final rule and address the comments in a subsequent final rule.

CERCLA

“National Priorities List; Kummer Sanitary Landfill Superfund Site”
March 1, 1996 (61 FR 8012)

Notice of Intent to Delete

"National Priorities List; Newport Dump Superfund Site"

March 8, 1996 (61 FR 9401)

Notice of Intent to Delete

"National Priorities List; A.L. Taylor Superfund Site"

March 8, 1996 (61 FR 9403)

Notice of Intent to Delete

"National Priorities List; East Bethel Landfill Superfund Site"

March 13, 1996 (61 FR 10298)

Notice of Intent to Delete

"National Priorities List; New Castle Spill Superfund Site"

March 21, 1996 (61 FR 11597)

Notice of Intent to Delete

"National Priorities List; Waste Disposal Engineering Inc. Superfund Site"

March 26, 1996 (61 FR 13131)

Notice of Intent to Delete

"National Priorities List; Howe Valley Landfill Superfund Site"

March 28, 1996 (61 FR 13794)

Notice of Intent to Delete

NOTICES

RCRA

"Formation and Open Meeting of the Industrial Non-Hazardous Waste Stakeholders Focus Group"

March 1, 1996 (61 FR 8058)

EPA announced the establishment of the Industrial Non-Hazardous Waste Stakeholders Focus Group and provided notice of the first meeting. The purpose of this committee is to advise EPA and ASTSWMO (the Association of State and Territorial Solid Waste Management Officials) in developing voluntary guidance for the management of industrial non-hazardous waste in land-based disposal units. The guidance will address such topics as appropriate groundwater monitoring and corrective action requirements, liner designs, daily operating requirements, and closure and post-closure practices. The committee's first meeting will be held on April 11-12, 1996, beginning at 9:00 a.m. on each day.

"Bilateral Agreements With Parties to the Basel Convention on the Transboundary Movement of Hazardous Wastes and Their Disposal"

March 4, 1996 (61 FR 8323)

The Basel Convention prohibits a party to the Convention from trading in Basel-covered wastes (i.e., hazardous and other wastes) with a non-party, absent a bilateral agreement or arrangement consistent with Article 11 of the Convention. Since the United States is not a party to the Convention, the U.S. Department of State is seeking public comment to evaluate the need for waste agreements or arrangements to allow the import of hazardous wastes from Convention parties to the United States.

NOTICES

"West Virginia; Partial Program Adequacy Determination of State Municipal Solid Waste Landfill Permit Program"
March 8, 1996 (61 FR 9451)

The West Virginia Division of Environmental Protection (WVDEP) applied for a partial determination of adequacy under §4005 of RCRA. EPA reviewed WVDEP's application and made a tentative determination of adequacy for those portions of the WVDEP's MSWLF permit program that are adequate to assure compliance with the revised MSWLF Criteria. All comments on WVDEP's application for a partial determination of adequacy must be received by EPA Region III by April 30, 1996.

"Continuous Emissions Monitoring Systems (CEMS) Demonstration Announcement"
March 8, 1996 (61 FR 9532)

EPA corrected an error in the February 27, 1996 (61 FR 7232), CEMS Demonstration Announcement. In the second column, under DATES, the second line should read "April 9, 1996."

"Agency Information Collection Activities; Proposed Collection; Comment Request; the 1997 Hazardous Waste Report (Biennial Report)"
March 15, 1996 (61 FR 10749)

This notice announces that EPA is planning to submit a continuing Information Collection Request to the Office of Management and Budget to allow the Agency to collect data for the 1997 Hazardous Waste Report (Biennial

Report). Comments must be submitted on or before May 14, 1996.

"Hazardous Waste Land Disposal Restrictions; Underground Injection Control Well Petition for Exemption"
March 22, 1996 (61 FR 11838]

EPA granted American Ecology Environmental Services Corporation's (AEESC) petition to exempt from LDR the Class I injection wells located at their Winona, Texas, facility. The company has adequately demonstrated that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous. This decision constitutes final Agency action and there is no Administrative appeal.

"Extension of Comment Period; LDR Supplemental Proposal to Phase IV Rule: Clarification of Bevill Exclusion for Mining Wastes, Changes to the Definition of Solid Waste for Mineral Processing Wastes, and Associated Issues"
March 25, 1996 (61 FR 12054)

EPA extended the public comment period on the mineral processing sections of the supplemental Phase IV proposal (61 FR 2338, January 25, 1996) for 30 days beyond the original 60-day comment period. Public comments must be submitted to EPA by April 24, 1996.

NOTICES**CAA****"Risk Management Programs Under CAA §112(r)(7); Draft Guidances; Extension of Comment Deadline"
March 1, 1996 (61 FR 8058)**

EPA extended the deadline for submission of comments on the draft guidance documents related to the accidental release prevention provisions under §112(r) of the Clean Air Act to March 29, 1996. The documents include: Offsite Consequence Analysis, Generic Guidance Risk Management Program (RMP) for Ammonia Refrigeration Facilities, Risk Management Plan Data Elements, and Data Elements Instructions.

**"Proposed Settlements; List of Regulated Substances and Thresholds for Accidental Release Prevention"
March 28, 1996 (61 FR 13858)**

EPA announced proposed settlements in two cases involving challenges to the final rule entitled "List of Regulated Substances and Thresholds for Accidental Release Prevention; Requirements for Petitions Under Section 112(r) of the Clean Air Act as Amended" (59 FR 4478; January 31, 1994). Under the terms of the proposed settlements, EPA would conduct a rulemaking concerning delisting of certain chemicals and modification of certain other provisions of the rule. EPA will accept written comments regarding these proposed settlements for a period of 30 days from the date of publication of this notice.

Settlements and Consent Decrees

"Proposed Consent Decree; Myers Property Superfund Site"
March 5, 1996 (61 FR 8642)

"Consent Decree; Delaware Sand & Gravel Superfund Site"
March 5, 1996 (61 FR 8643)

"Proposed Consent Decree; Reliance Battery Mfg. Co. Superfund Site"
March 5, 1996 (61 FR 8643)

"Proposed Administrative Agreement; SMS Instruments, Inc. Superfund Site"
March 7, 1996 (61 FR 9164)

"Proposed Administrative De Minimis Settlements; Palmerton Zinc Superfund Site"
March 8, 1996 (61 FR 9457)

"Proposed Consent Decree; San Fernando Valley Area 1 Superfund Site"
March 12, 1996 (61 FR 10010)

"Proposed Modification to Consent Decree; Tacoma Landfill Superfund Site"
March 12, 1996 (61 FR 10010)

"Proposed Consent Decree; Cortese Landfill Superfund Site"
March 14, 1996 (61 FR 10596)

"Proposed Modification to Consent Decree; Burrows Sanitation Superfund Site"
March 14, 1996 (61 FR 10596)

NOTICES

"Proposed Consent Decree; Mobil
Pasadena Superfund Site"
March 14, 1996 (61 FR 10598)

"Proposed Administrative De Minimis
Settlements; Novak Sanitary Landfill
Superfund Site"
March 15, 1996 (61 FR 10760)

"Proposed Consent Decree; Marzone/
Chevron Chemical Superfund Site"
March 20, 1996 (61 FR 11431)

"Proposed Consent Decree; Eddystone
Avenue Superfund Site"
March 20, 1996 (61 FR 11432)

"Proposed Consent Decree; San
Fernando Valley Basin Superfund Site"
March 22, 1996 (61 FR 11866)

"Proposed Prospective Purchaser
Agreement; Foote Mineral Superfund
Site"
March 26, 1996 (61 FR 13191)



CALL ANALYSES

CALLER PROFILE

RCRA/UST Hotline

Regulated Community	4,539
Citizens	184
State & Local Govt./Native American	240
Federal Agencies	116
Educational Institutions	137
EPA	96
Media	3
Interest Groups	8
Congress	3
International	7
Other	76
Referrals*	302
Transfers to EPCRA/Superfund Hotline*	223
Document Retrieval Line*	139
Message Retrieval Line*	1,093
TOTAL NUMBER OF CALLERS	7,166

* No caller profile data available.

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

Manufacturers		Consultants/Engineers	2,561
		Attorneys	290
Food/Tobacco	78	Citizens	203
Textiles	15	Public Interest Groups	40
Apparel	5	Educational Institutions	75
Lumber & Wood	17	EPA	52
Furniture	15	Federal Agencies	67
Paper	16	GOCOs	12
Printing & Publishing	19	Congress	7
Chemicals	155	State Officials/SERC	74
Petroleum & Coal	33	Local Officials/LEPCs	101
Rubber and Plastics	16	Fire Departments	27
Leather	6	Hospitals/Laboratories	81
Stone, Clay & Glass	20	Trade Associations	14
Primary Metals	15	Union/Labor	1
Fabricated Metals	42	Farmers	14
Machinery (Excluding Electrical)	19	Distributors	64
Electrical&Electronic Equipment	13	Insurance Companies	11
Transportation Equipment	16	Media/Press	7
Instruments	8	Native Americans	3
Misc. Manufacturing	240	International	3
		Other	173
		Referrals*	399
Subtotal	748	Transfers to RCRA/UST Hotline*	374
		Document Retrieval Line*	0
		Message Retrieval Line*	135
TOTAL NUMBER OF CALLERS			5,536

* No caller profile data available.

HOTLINE TOPICS

RCRA

RCRA GENERAL 1,222

SUBTITLE C

Hazardous Waste Id. - General 1,795¹

Characteristics 614¹

Listings 424¹

Mixture Rule 127

Derived-From 87

Contained-In Policy 173

Sampling 60

Solid and Hazardous Waste Exclusions 213

Radioactive Mixed Waste 24

Delisting Petions 19

Definition of Solid Waste/Hazardous Waste Recycling 361¹

Large Quantity Generators 394¹

Small Quantity Generators 204

CESQGs 112

Transporters 93

Exports/Imports 50

TSDFs

General Facility Standards 225

Unit Standards 135

Air Emissions 501¹

Combustion - General 329

BIFs 59

Incinerators 91

Draft Strategy 30

Waste Minimization 5

LDR

Applicability 531¹

Notifications/Certification 113

Treatment Standards 268¹

Permits and Permitting 145

State Programs 129

Financial Assurance 64

Closure/Post-Closure 80

Corrective Action 230

Enforcement 74

Hazardous Waste Data 68

Test Methods 81

Indian Lands 16

Used Oil Standards 175

Military Munitions 35

OTHER WASTES

Ash 8

Bevill Amendment (Mining Waste) 51

Medical Wastes 125

Oil and Gas 27

SUBTITLE D

Household Hazardous Wastes 90

Subtitle D - General 119

Technical Standards 32

Industrial Wastes 11

Municipal Wastes 64

Indian Lands 12

Financial Assurance 15

Solid Waste Recycling/Markets -

General 306¹

Aluminum 31

Batteries 29

Glass 29

Paper 37

Plastics 36

Tires 39

Used Oil 46

Composting 21

Procurement 26

Source Reduction/Pollution Prevention 53

Grants and Financing 16

TOTAL QUESTIONS 10,579*

* Includes 2,398 RCRA document requests.

UST

General/Misc. 251¹

Applicability/Definitions 125

Regulated Substances 47

Standards for New Tank Systems 111¹

Tank Standards and Upgrading 145¹

Operating Requirements 76

Release Detection 157¹

Release Reporting & Investigation 52

Corrective Action for USTs 106

Out-of-Service/Closure 64

Financial Responsibility 136¹

State Programs 47

Liability/Enforcement 41

LUST Trust Fund 17

TOTAL QUESTIONS 1,375*

* Includes 1,292 UST document requests.

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	395¹
Trade Secrets	15
Enforcement	34
Liability/Citizen Suits	15
Training	18
Chemical-Specific Information	55

Emergency Planning (§§301-303):

General	112
Notification Requirements	32
SERC/LEPC Issues	67
EHSs/TPQs	118
Risk Communication/ Hazards Analysis	25
Exemptions	8

Emergency Release Notification (§304):

General	47
Notification Requirements	57
Reportable Quantities	47
CERCLA §103 vs. SARA §304	51
ARIP/AHEDB/ERNS	12
Exemptions	12

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

General	332¹
MSDS Reporting Requirements	180¹
Tier I/II Requirements	411¹
Thresholds	384¹
Hazard Categories	56
Mixtures Reporting	121
Exemptions	186

Toxic Chemical Release Inventory (§313):

General	369¹
Reporting Requirements	475¹
Thresholds	216¹
Form R Completion	296¹
Supplier Notification	26
NOTEs/NOSEs/NONs	9
Voluntary Revisions	13
Pollution Prevention 33/50	11
Public Access to Data	101
TRI Database	95
Petitions	27
TRI Expansion	83¹
Exemptions	90

Special Topics:

CAA §112	
General	135¹
RMPs	282¹
List of Regulated Substances	110¹
Federal Facilities Executive Order	16

TOTAL QUESTIONS 5,144

*Includes 1,160 Emergency Planning and Community
Right-to-Know document requests

SUPERFUND

General/Misc.	217
Access & Information Gathering	35
Administrative Improvements	
General	99
Environmental Justice/Brownfields	270¹
SACM/Presumptive Remedies	84
Soil Screening Levels	107
Administrative Record	15
ARARs	82
CERCLIS	139
Citizen Suits	5
Claims Against Fund	12
Clean-Up Costs	40
Clean-Up Standards	87
Community Involvement	20
Contract Lab Program (CLP)	13
Contractor Indemnification	2
Contracts	3
Definitions	107
Enforcement	95
Federal Facilities	39
Hazardous Substances	313¹
HRS	11
Liability	112
Local Gov't Reimbursement	6
Natural Resource Damages	5
NCP	69
Notification	130
NPL	279¹
Off Site Rule	9
OSHA	9
PA/SI	33
PRPs	42
RD/RA	36
Reauthorization	56

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.

Remedial	136
Removal	42
RI/FS	48
Risk Assess./Health Effects	78
ROD	77
RQ	277¹
Settlements	43
SITE Program	22
State Participation	11
State Program	15
TAGs	1
Taxes	16

Special Topics	
Oil Pollution Act	9
SPCC Regulations	14
Radiation Site Cleanup	59¹

TOTAL QUESTIONS 3,429*

*Includes 386 Superfund document requests.

TOTAL HOTLINE QUESTIONS AND DOCUMENT REQUESTS: 20,527
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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.