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Waste Management Division Fiscal Year 1983 Annual Report

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**RCRA
CERCLA
TSCA
FIFRA**

This document records the significant accomplishments of the Region V Waste Management Division during Fiscal Year 1983 and presents the major objectives established for the Division in Fiscal Year 1984. This report is dedicated to all the Waste Management Division staff whose efforts in Fiscal Year 1983 resulted in this impressive record of achievement and whose continued diligence will bring another successful year in protecting the environment and the public health.



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Waste Management Division
Fiscal Year 1983
Annual Report

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I. Introduction

The year 1983, the first full fiscal year for the Region V Waste Management Division, proved to be a highly successful period of accomplishment despite an extraordinary sequence of sometimes disruptive challenges. The rapidly evolving nature of the RCRA and CERCLA programs and the emerging strains on the TSCA and FIFRA programs combined with the intense national attention focused on EPA's implementation of these laws, provided a severe test of the Division's ability to effectively implement these programs in the Region. The Division's involvement with Congressional staff investigating various allegations ranged from personal interviews and testimony, to extensive file evaluations relative to our past dioxin activities, as well as the CERCLA and RCRA programs. Throughout the year, however, regardless of intensive news media scrutiny, GAO investigations, and IG audits, all of which consumed a great deal of our time, the Waste Management Division kept a steady path toward environmental protection. The negative impacts of the Agency's national problems, which severely affected the Division's ability to move forward with positive environmental solutions, included deep citizen mistrust, pervasive emotional reaction to hazardous waste and toxic materials issues, as well as Congressional involvement in nearly every action we undertook. In addition during the year, the Division had to confront the gritty practical realities of an organizational move from one building to another, serious space constraints, and hiring restrictions. Despite

various obstacles, which ranged from the impacts of significant shifts in national policy direction to the persistent presence of a range of administrative impediments, the Waste Management Division established an impressive record of accomplishment in FY 1983.

The accomplishments of the Waste Management Division during the year included not only activities and positive results anticipated in our basic work plans, but also included other significant efforts such as managing the Region's dioxin initiative, directing the work of the Great Lakes Water Quality Board's Toxic Substances Committee, and providing health effects technical guidance. These activities entailed a work load extending well beyond our initial estimates. To meet our planned output commitments for the year while accommodating unplanned demands required the Division's managers at all levels to make decisions on a continuing basis toward effectively balancing various competing interests, changing priorities, and handling crises. It also required an extra degree of effort from our staff at all levels throughout the year. The following report of the Division's operations and activities in FY 1983 is a testament to the many Waste Management Division staff who, through dedication to the Agency's ideals, and a lot of consistent hard work, achieved so much under very difficult conditions.

II. Review of Programs

RCRA

The Region's Resource Conservation and Recovery Act program, for which

the Waste Management Branch (WMB) is responsible, is designed to regulate hazardous waste management throughout the six-state area. The primary areas of activity in the RCRA program include state authorization, permitting hazardous waste treatment, storage, and disposal facilities, and enforcement of RCRA's regulatory requirements. The Division worked closely with the Office of Regional Counsel in each of these major phases of the program. Significant accomplishments were realized in these areas of the program during the year.

State Authorization

State authorization is one of Region V's highest priorities. If any of the states authorized for Phase I is unable to meet the January 26, 1985, deadline, the Federal hazardous waste program for Phase I activities will be reinstituted in that state. Region V is considering various procedures or measures to be implemented to ensure a smooth transition should this become necessary. However, all states in Region V are actively working toward receiving final authorization, and we are optimistic they will be able to meet the January 26, 1985, deadline.

Four states in the Region have Phase I interim authorization under RCRA. Ohio, the last state in the Region to receive interim authorization, received a lot of attention in the authorization process during the year since it submitted its Phase I application January 7, 1983. The state received Phase I authorization on July 15, 1983. The states of Illinois, Indiana, and Wisconsin received Phase I interim authorization in FY 1982.

Since the next delegation step for each of our states, including Michigan and Minnesota, is final authorization of the entire RCRA program, the program's major efforts were directed toward assuring the greatest success of the states in the authorization process. To accomplish this, schedules with specific milestones were developed with each state. With none of the four interim authorized states able to submit an application for Phase II interim authorization or for final authorization by the July 26, 1983, regulatory deadline, these states requested extensions past this date for submitting applications for final authorization. The Division prepared the Regional Administrator's approvals of these requests, based on an evaluation of the following criteria: (1) reasons given by each State for requesting an extension; (2) progress made to date toward receiving final authorization; and (3) schedule for meeting the January 26, 1985, final authorization deadline. Notice of approval was published in the July 27, 1983, Federal Register.

During FY 1983 the Region was the first to have all states receive complete pre-application statutory reviews for final authorization. By the end of the year, Michigan, Minnesota and Illinois had passed statutory amendments needed for final authorization. Indiana, Ohio and Wisconsin each has hazardous waste legislation which differs from RCRA in several areas. These latter three states will have to rely on their Attorney General Statement to explain how existing state authority is fully equivalent to Federal law, or pass statutory

modifications sufficient to meeting this test for program equivalency. Regulatory changes were adopted by Illinois, with all other states drafting or scheduling adoption of regulations in FY 1984. The Division's efforts in developing state programs extended beyond just legislative and regulatory reviews. The Division provided testimony in Indiana to help increase state resource capacity needed to qualify for authorization. We also worked with each state to pursue meeting its grant conditions which clearly show its capacity to effectively initiate enforcement and issue permits. Cooperative grant agreements were negotiated with the objective of improving State capabilities, while improving environmental and public health protection. These agreements not only provided specific objectives and outputs for inspecting, enforcing, and permitting hazardous waste handlers, but also provided support for improving state regulatory authority to implement necessary controls. ADP systems and QA/QC programs were enhanced or developed using these funds and specific contractor support was made available in each case to further the effectiveness of these efforts. All state outputs for inspections, enforcement, and permitting exceeded past years' efforts, as enhancement of a balanced state/Federal program continued under RCRA. To improve state program capability more rapidly, we improved the quality of quarterly audits as well as the mid-year and end-of-year reports. These various efforts should assure the earliest possible final program authorization for each of our six states.

Permitting

The RCRA permitting program was directed toward permitting new facilities or existing facilities which were selected by Region V and the States due to their environmental significance (size, proximity to large populations, compliance history, or other unique characteristics).

During the year, 182 storage/treaters, 24 incinerators, and 52 land disposal Part B applications were requested by the Region.

The Division also received 25 voluntary Part B permit applications, of which 16 were for new storage or treatment facilities, 5 incinerators, and 4 proposed land disposal facilities. In preparation for the 166 permit applications received during the year, Division personnel conducted or directed formal training of state and Regional staff, as well as holding individual discussions with applicants to assist in developing permit applications of acceptable quality. To date, we have completed 135 reviews of these applications, with the states providing the major support for the effort. Seventy-six of these applications are completed. In FY 1983, we held 28 public hearings and issued 18 RCRA permits. The hearings were expanded where significant public concern was noted to allow questions and answers in addition to the regulatorily required "receipt of comment" format. These efforts increased public understanding of the permits, and the public's ability to comment more effectively.

The 18 RCRA permits issued by Region V in FY 1983 accounted for 23 percent of the 80 RCRA permits issued by the Agency and authorized states altogether. Of the 43 permits issued directly by USEPA during the year the Region's total accounted for 42 percent. In addition, three of the six incinerator permits issued nationally were issued by Region V. This will significantly increase the capacity in the Region to safely destroy hazardous waste.

The states in Region V played an important role in the permitting process even though the Region itself retained authority to make final permit decisions. The states provided considerable assistance to the Region in carrying out RCRA permitting activities. Grants were awarded to the states in part to support this activity. States conducted completeness checks and technical reviews, and assisted in the drafting of permits. State involvement with the Region in carrying out Federal permitting responsibilities provides for a stronger, more experienced state program when it is finally authorized.

In summary, permitting activities over the past year were primarily limited to storage and treatment facilities, though several incineration-facility permit applications were processed. Land disposal facilities were also brought into the permitting program as a result of the effective date of the land disposal regulations--January 26, 1983. However, these types of facilities will be addressed in

greater depth over the next several years, since the Region is just now beginning to receive permit applications for those facilities.

Enforcement

The RCRA enforcement program continued to expand in FY 1983, with the states exceeding their commitment of 2261 inspections and the Region completing 100 inspections. Clearly, the RCRA enforcement program in the Region relies heavily on state participation. These combined state and Federal inspections led to the issuance of more than 1,000 warning letters from the states, and 110 warning letters from the Region. Many of these warning letters were issued for violations which could have elicited the issuance of administrative orders according to Agency guidance. Due to the high noncompliance rates, (groundwater monitoring 70%, financial assurance 60%, and other requirements from inspections 50%) the Region had to select less resource-intensive enforcement responses, such as warning letters, to deal with the many violators. It is noteworthy, however, that warning letters were highly successful in returning violators to compliance. Warning letters resulted in a 70-80% effective rate in returning violators to compliance. In FY 1984, we will use more administrative enforcement actions consistent with national guidance, since higher staffing levels will be available for this more resource-intensive effort.

During the year, higher levels of enforcement response were also undertaken in the RCRA program. The Region issued 19 Class I administrative orders, many of which assessed penalties, and 54 Class II orders. More than 600 facilities returned to compliance during the year as a result of the Region's and states' use of various enforcement actions. In addition, the RCRA program initiated 24 criminal investigations, of which four should be brought to grand juries in FY 1984. The enforcement resources available in FY 1983 were inadequate to meet demands. The increase in FY 1984 will allow us to initiate additional higher level actions more quickly.

State enforcement efforts were more carefully reviewed in FY 1983. Notices of Violation were issued to Wisconsin regarding two facilities against which Wisconsin had not initiated appropriate enforcement. In both cases, Wisconsin initiated actions within the 30 days allowed by our NOV's. Besides reviewing state enforcement efforts, we agreed with Illinois to issue Federal orders with penalties in cases where existing state regulations made penalties difficult. We intend to initiate this process in Ohio, and have already issued orders prepared by Michigan.

TSCA

The Region's Toxic Substances Control Act program, for which the Toxic Materials Branch (TMB) is primarily responsible, is designed to secure compliance with regulations aimed at eliminating unreasonable public health or environmental risks from the manufacture, use, or

disposal of toxic chemicals. The major areas of activity in the Region include an active inspections and enforcement program operated out of TMB, as well as an active PCB disposal and destruction approval program, for which the Waste Management Branch is the lead office. The Division worked in close coordination with the Office of Regional Counsel to implement a very productive TSCA program in the Region.

Enforcement

A total of 405 inspections under TSCA were conducted in Region V during FY 1983. This total accounts for 18.2% of the 2,224 TSCA inspections conducted nationally during the year. These inspections addressed a variety of regulatory requirements under the law. From this active inspectional effort came the most aggressive TSCA enforcement effort of any Region. During the year, the Division conducted 58 inspections designed to ensure that chemical manufacturers complied with TSCA's premanufacturing notification (PMN) requirements. These inspections, which comprised over 46% of this type of inspection under the national program, covered approximately 30% of all companies in the United States that submitted PMNs in FY 1983. Under Section 6 of TSCA are regulations aimed at the problems of asbestos in schools. During the year, the Division not only completed 83 school compliance inspections, a total well above our commitment

of 64, but also 3,000 information mailings were made to advise school districts of their responsibilities. The high degree of effectiveness of our efforts, which were undertaken in close cooperation with the State school agencies, is reflected in a 97 percent reporting rate (22,715 schools out of a 23,300 total) for asbestos inspections. Our follow-up compliance inspections were aimed at schools where non-compliance with the asbestos rule was known or suspected. The Region's total of 83 school inspections in 30 local school districts comprised over 40% of the Agency's national total of 207 inspections.

Since the Section 6 PCB regulations went into effect in July 1979, Region V has inspected about 950 facilities to ensure that the regulations on use, storage, disposal, marking and recordkeeping are followed. Nearly one-third of this total (302) of PCB inspections occurred in FY 1983. We directed much of our PCB inspectional effort toward key geographic areas (Detroit, Green Bay, and northern Ohio) in support of the Great Lakes areas of concern. Only 50% of the facilities inspected in this part of the program were found to be in compliance. Cooperative grant agreements with the states of Ohio and Michigan to conduct PCB inspections under Federal authority, which cannot be delegated to states under TSCA, significantly augmented the efforts of the staff in the Region. The 199 inspections completed under these grants lead to the issuance of 37 notices of non-compliance and 79 civil administrative complaints.

The Region's TSCA enforcement program in FY 1983 exceeded all output commitments in terms of inspections completed and enforcement actions taken. Our enforcement actions accounted for an impressive 41% of the national total of civil administrative complaints. In summary, 120 civil administrative actions were initiated, including the 79 actions associated with the Ohio and Michigan cooperative inspectional efforts, 67 notices of non-compliance were issued, one civil referral was made to the Department of Justice, and one criminal indictment was entered as a result of the Region's efforts. The director of the Compliance Monitoring Staff in the Office of Pesticides and Toxic Substances commented in an October 1983 memorandum that "Region V stands out among the ten regions for the strong TSCA enforcement program last year."

State Programs

In addition to the extensive TSCA enforcement activities, PCB spill response efforts, and a variety of health effects technical assistance, the Region's TSCA staff continued to manage several cooperative agreements under Section 28. These projects conducted through state health departments, as well as state environmental agencies, have been aimed at a number of purposes. In Wisconsin, the state's Department of Health and Social Services completed a study of the health effects associated with formaldehyde exposure in mobile homes. The Illinois Department of Public Health's project,

which continues in FY 1984, was designed to establish an integrated system for detecting, recording and investigating morbidity and mortality from exposure to toxic substances in the environment. Finally, in Michigan, the state's Department of Natural Resources developed a system using a Section 28 grant for recording and tracking the reports of facilities listed on Michigan's Critical Materials Register. At the end of FY 1983, Michigan, under another Section 28 grant, continued work on establishing interagency risk assessment process involving the state's Departments of Natural Resources, Agriculture, and Public Health. It is readily apparent from this summary that state toxic substances program development has received significant support under TSCA. In addition, the cooperative enforcement agreements with Michigan and Ohio, mentioned earlier, have achieved a high degree of success in forging a practical state/Federal partnership to augment the non-delegable Federal TSCA enforcement program.

PCB Disposal Program

The Toxic Substances Control Act requires that anyone who wishes to dispose of or destroy PCBs must obtain the prior approval of the Regional Administrator. Also, prior to initiating research and development activities associated with PCB destruction, approval must be obtained from the Regional Administrator. The Region, lead by the Waste Management Branch, reviews each request for approval to

assure that a demonstration of the requestor's ability to comply with the TSCA regulations has been provided. When it is determined that the requestor can comply, an approval is drafted that establishes certain operating conditions. The Office of Regional Counsel reviews each commercial approval for legal sufficiency and enforceability prior to issuance. If the requestor cannot or does not make a satisfactory demonstration of his ability to comply, then approval will not be granted. TSCA does not require public participation in the approval process; however, as a matter of policy, the Region does conduct a public participation program for commercial incineration and land disposal facilities.

The Region's PCB disposal/destruction approval program during FY 1983 resulted in 19 research and development approvals, 7 commercial destruction facility approvals, and one industrial boiler use approval, for a total of 27 approvals. The most significant of our PCB destruction approvals occurred at the very end of the fiscal year.

On September 26, 1983, Region V granted SCA Chemical Services, Inc., approval to commercially destroy PCB-contaminated materials at its Chicago incinerator. This is the third commercial incinerator approved in the United States, and the first incinerator in the midwest. There has been a critical shortage of commercial destruction facilities for high-concentration PCB materials. This problem is compounded by the

regulatory requirement that all stored PCB's must be disposed of by January 1, 1984. The approval of the SCA incinerator by Region V will provide additional disposal capacity to assist midwestern companies in complying with the PCB disposal regulations.

• FIFRA

The Region's pesticides program, for which the Toxic Materials Branch is responsible, is designed to manage a broad state/Federal regulatory enforcement program under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). In this effort, the Division's staff work closely with the Office of Regional Counsel.

The 1972 amendments to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) completely revised pesticide regulation, changing the 1947 FIFRA from essentially a labeling law to one providing full control over manufacture, distribution, and use of pesticides. Significant new enforcement roles for the Regional Office included (1) registration and surveillance of the some 3200 pesticide producing establishments located in the region; (20% of national total) (2) surveillance and monitoring of the use of pesticides by professional pest control operators, aerial applicators, homeowners, industry officials, and farmers; (3) issuance of immediate Stop Sale, Use, or Removal Orders when any pesticide was found in violation of the 1972 FIFRA; and (4) issuance of enforcement actions assessing monetary civil penalties for major FIFRA violations. Since 1972, Regional Pesticides Section personnel have conducted over 2,100 site inspections, collected

over 6,400 pesticide samples, and performed over 600 use investigations. These activities have resulted in approximately 420 civil penalty actions, 65 criminal actions, 1400 warning letters, and 310 stop sale orders. The incidence of major violations has materially decreased since 1972.

Enforcement

During FY 1983, Federal inspections and enforcement under FIFRA increased significantly over the year prior and exceeded our workplan commitments. The Regional staff completed over 350 inspections, while the states under cooperative agreement performed 1,637 use inspections, 216 producer establishment inspections, and 1,345 market-place inspections. Of the 350 inspections conducted by the Regional program staff, 167 were at producing establishments, 54 were market-place inspections, 111 were targeted at planned pesticide use, 5 were misuse inspections following specific state requests, and 15 were aimed at pesticides imports and exports. As part of the overall information collection and compliance effort, the pesticides staff reviewed 200 import documents, collected 236 samples for chemical analyses and registered 3,200 producers, entering registration information into the FATES computer data base.

From these inspectional and information collection activities, the Region's FIFRA enforcement activities increased dramatically in FY 1983. The Region issued 307 notices to establishments for failure to

report production, 48 notices of intent to cancel establishment registrations, and 50 Section 9 (c)(3) warning letters. In addition, the Region issued 21 critical stop-sale orders to protect the public from unsafe or mislabeled pesticides, as well as seven recall letters. Most impressively, however, the Division initiated 106 civil administrative complaints, which constituted 48 percent of the national total of such actions.

State Programs

The FIFRA program marked a milestone this year with the granting of a cooperative enforcement agreement to the Ohio Department of Agriculture. This brings all six states into the Federal funding program and will provide a strong basis upon which Ohio can increase its enforcement efforts. State enforcement and certification grants have improved investigations of pesticide misuse, an area where Federal emphasis will continue in FY 1984.

During the year, the Division's staff have undertaken a more careful program of grant negotiations with thorough mid-year and end-of-year follow-up reports to improve state program effectiveness. Also, toward achieving two objectives in our Environmental Management Report, we also moved directly with our states to address groundwater contamination by the pesticide Aldicarb in central Wisconsin, as well as undertaking a review of the environmental hazards of bulk herbicide storage.

CERCLA

The Superfund program under the Comprehensive Environmental Response, Compensation and Liability Act is designed to provide public-financed response capability at hazardous waste spills

or unregulated hazardous wastes sites, as well as authorities to induce privately-financed corrective actions. In Region V, the overall Superfund program responsibility is divided between the Waste Management Division and the Environmental Service Division (ESD) essentially with ESD handling immediate response (there are some exceptions at NPL sites) and the WMD conducting the remedial action and overall program support functions. Throughout this effort the Division has necessarily worked closely with the states and the Office of Regional Counsel, as well as the ESD and the Public Affairs Office.

Remedial Action Program

In FY 1983, the Region continued to work closely with our states to assess potential hazardous waste sites and nominate appropriate candidates to the National Priority List. This effort resulted in the addition of 45 more sites to the list, the largest increase of any region. Also, Wisconsin began active participation in the program, placing 20 sites on the proposed list.

Significant progress was made on the 99 sites on the original NPL during the year. Nine state-lead cooperative agreements were awarded, with funds approved for 17 Federal lead projects. A significant measure of success in our efforts is the fact that joint decisions made with our States will result in Federal funding of 13 State lead cleanups and 18 Federal lead cleanups. Of the remaining sites, States have taken the enforcement lead in 22 cases, while federal lead has been initiated at 20 sites. Nine of our sites are being

pursued through joint Federal and state enforcement efforts. In addition to this, five sites are being handled as "dual track" sites with enforcement actions (negotiations) being pursued while remedial actions are held in abeyance. Twelve (12) sites on the NPL have not been actively addressed due to lower priority and severe resource constraints.

Groundwork laid by the Region in 1981 and 1982, coupled with increasing state participation, resulted in fund obligations for remedial investigation/feasibility studies at sites in five states (none in Wisconsin). These studies will determine the nature and extent of problems at the sites, evaluate alternative corrective actions and recommend the most cost-effective remedial action that ensures public health and the environment are protected.

Funds totaling \$10.1 million were committed for remedial work at 28 sites in FY 1983. Remedial investigation/feasibility studies valued at \$8 million were initiated for response related activities at 21 sites. In addition, \$705 thousand were committed for studies in support of litigation at 7 sites. The Region also gained funding for initial remedial measures at three sites. This activity covered the cost of the field actions ranging from fence construction to drum and soil removal to provision of alternate water supplies. Much of the field related response activity resulted from the scrutiny of National Priority List (NPL) sites and the identification of removal activities.

During FY 1983 such activities valued at \$6.6 million were conducted by Region V at 19 NPL sites. In addition, the Division conducted two of the few planned removals in the country-the cleanup of Midco I in Indiana and the cleanup of the Cleveland radiation sites. Division staff also commenced work at Calumet Containers in Indiana. In the immediate removal category, it was necessary during the year for the On-Scene Coordinators from the WMD to perform seven immediate removal actions at NPL sites, such as Berlin and Farro and the Verona well field in Michigan, to mitigate emergency conditions.

Finally, toward the end of FY 1983, the program staff in the Remedial Response Branch developed and submitted to Headquarters a Regional Remedial Action Plan (RAP). This plan, which will be discussed in more detail later, forms an important basis for managing the program in FY 1984.

Enforcement

In no other Agency program is the interplay between enforcement activities and the more traditional technical program activities as intricate or continuous as in the Superfund program. The enforcement potential is a permanent consideration at any site where technical activity is proceeding. Hence, while our remedial program efforts concentrated on remedial investigations and feasibility studies during the year, we also moved forward with enforcement efforts to address some of the most significant site problems in the Region. Among these are Chem-Dyne in Ohio, Seymour and Enviro-Chem

in Indiana, A&F Materials in Illinois, FMC and the Oakdale sites in Minnesota, and a variety of sites in Michigan.

The Division participated in initiating or resolving a significant number of enforcement actions under the Superfund program during FY 1983. Seven consent decrees were completed, and one was lodged but not entered (Enviro-Chem). Some 114 agreed administrative orders were issued for significant cleanups, 13 civil referrals (12 for cost-recovery and one for cleanup) were made, and three civil actions were filed. In addition, the Superfund program negotiated a RCRA Section 3013 consent order resolving the Diamond Shamrock case in the Ashtabula, Ohio area. Negotiated cleanup settlements emerging from the Superfund program during the year were valued at \$57.5 million. The national total was \$87.6 million.

State Programs

While the CERCLA program does not provide official program delegation we have worked diligently to move lead responsibility to the states wherever reasonable. Consequently, states have taken the enforcement lead on 22 of the NPL sites and we are sharing the lead on nine others. One hundred percent Federal funding of remedial investigation and feasibility studies has made Federal lead much more appealing than in the past, but we did agree to nine new cooperative agreements for State lead fund-financed cleanups in the remedial program in FY 1983. The cooperative agreement with Ohio for the planned removal at the Cleveland radiation sites marks the first State lead planned removal in the country.

A key Superfund accomplishment in FY 1983 was the award of \$1.8 million through RCRA Section 3012 to all Region V states for the update of existing state and federal site data bases and the conduct of preliminary assessments. Region V has 2,908 sites in the Emergency and Remedial Response Information System. During the year, 570 preliminary assessments and 175 site inspections were conducted. Prior to the availability of 3012 funds, the Region working in conjunction with the states provided input into the promulgation of the original NPL and the first update of the NPL. As a result of these efforts, Region V states total 141 final or proposed sites on the update list. This is the largest Regional total in the country.

Multi-Media Initiatives

Regional/National Dioxin Program

In mid-year the Waste Management Division assumed the lead in re-organizing the Region's dioxin activities and setting a new ambitious course of action for the Region. Through the new Regional Dioxin Task Force, which was chaired by the WMD and supported by the active participation of six other staff members from the Division, the Region commenced a multi-media study of dioxins in Michigan, concentrating on the Dow Midland area where earlier, more limited studies revealed dioxins in the environment. Our efforts, initiated in direct response to a request from the State of Michigan in March, resulted in the broadly coordinated development of a general study plan and detailed soil sampling plan for Midland, Michigan. This flurry of activity which involved virtually all offices in the Region, especially the

Environmental Services Division and Water Division as well as our Division, had to be very carefully coordinated not only within the Region but also between the Region, Headquarters, the State, and many individuals outside the governmental agencies. The Division was deeply involved in this undertaking, which evolved into a coordinating role during the Agency's preparation of a response to a precedent setting citizens' petition from Michigan, extensive technical participation in preparing a detailed information request to Dow, active involvement in developing a Regional dioxin workplan, and coordinating the Region's active participation in the formulating of the Agency's national dioxin strategy. Late in the year, the Division was asked by Headquarters to participate on the national Dioxin Management Task Force.

Great Lakes Toxic Substances

During the year the Waste Management Division played a significant role in the Agency's activities related to the toxic substances concerns of the Great Lakes Water Quality Agreement. The Division provided the chairman of the Toxic Substances Committee, a diverse group of Canadian and United States scientists and technicians established under the Great Lakes Water Quality Board, of which the Regional Administrator is co-chairman. With leadership provided by the Region V members of the Toxic Substances Committee, a program to update the list of toxic chemicals in the Great Lakes basin was initiated and a special work group was established to define a dynamic system for listing toxic chemicals in the basin on the basis of their physical, chemical, and toxicological characteristics, their environ-

mental presence, and their production characteristics. The Division also directed the design of this emerging listing system, which should provide a useful toxic chemical information base for the various environmental and health agencies in the basin.

III. People and Spaces

Staff

Beginning in October 1982, the Division, then only eight months old, employed 100 "permanent full-time individuals" (PFT) and 18 "other-than-permanent full-time individuals" (OPFT). Working side-by-side the Divisional staff were 11 contractor staff in the WMB and RRB, as well as two individuals in the TMB hired under arrangement with the American Association of Retired Persons (AARP). By the end of the year, the Division had expanded to 168 staff, both PFT and OPFT. This expansion which occurred primarily in the RCRA and Superfund programs is expected to continue in FY 1984. In addition, four more individuals through the AARP will be joining the TMB in FY 1984 to augment the Region's asbestos-in-schools compliance program.

Space

During FY 1983, the Waste Management Division moved from the 16th floor of the Trans-Union Building back to the Kluczynski Building. Late in January 1983, we were able to complete the move on successive week-ends, with the Toxic Materials Branch shifting to the 11th floor of the Kluczynski Building and the balance of the Division on the 13th. With

additional growth in the size of the Division in FY 1984. Efforts continue to secure space in the "230 Building" to avoid the inevitable productivity and morale problems attendant excessive crowding of work stations.

Affirmative Action

During FY 1983, the Waste Management Division continued its efforts toward achieving EEO goals while simultaneously meeting the pressing functional needs of the organization. Our affirmative action and program objectives were successfully corollated in our personnel actions, such as hiring and promotions, training, and special assignments. The Division was successful in filling 16 job vacancies with minority individuals and females from several racial groups. In addition, we were able to temporarily promote three female clericals to secretarial positions, as well as return a highly-qualified minority staff member, down-graded during the Agency's reduction-in-force, to a supervisory position in the Waste Management Branch (WMB). The WMB also continued its support of the CETA Youth Development Program, by providing jobs for three female minority students, one of whom has since become a regular, part-time employee of the branch.

The Division paid special attention to EEO objectives in other actions as well. We were able to convert from OPFT to PFT four females out of a Divisional conversion allowance of seven during the year. Special assignments to high-priority Regional and national task forces and coordinating positions were made to at least seven staff members coming from minority population groups. It can be said without

qualification that the Division, in particular the Waste Management Branch, made a notable record of achievement with respect to affirmative action objectives in FY 1983.

For 1984, the Division intends to redouble its efforts to attain expanded EEO objectives. We intend to extend additional hiring, training, and promotional opportunities to affirmative action target groups. Toward the goal of achieving expanded EEO objectives in FY 1984, the Division plans to define and institute its own affirmative action plan by January 1984.

IV. 1984 Goals and Priorities

In FY 1984 the Waste Management Division will continue its various activities in a variety of environmental and public health areas. The wide range of Divisional activities requires that clear goals are set and priorities established. The following list of goals and priorities identifies specific areas of desired attention and achievement for the Waste Management Division. While these high-priority activity areas should receive emphasis in our decision-making, deployment of resources, and effort, the Division recognizes that the successful accomplishment of many other specific activities will be necessary for us to achieve our priority objectives as well as attain the many performance commitments in the Administrator's Management Accountability System (AMAS) and our workplans overall.

RCRA

1. State authorization - The Division must work closely with the states to ensure that the specific milestones on the FY 1984 path toward final authorization are accomplished. This accomplishment will be critical to the final authorization of our six-states as early in FY 1985 as possible.

2. Permitting - The Division must make 105 permit determinations in FY 1984. Of these final permit determinations, we expect most of them will result in the actual issuance of final RCRA permits. For those facilities unable to meet the technical requirements necessary to receive a permit for which application was required, we will terminate their interim status.

3. Enforcement - The Division must conduct an aggressive enforcement program aimed specifically at achieving compliance with RCRA requirements, especially those pertaining to groundwater and financial responsibility. To accomplish this, the Division is expected to use all appropriate enforcement techniques, including greater employment of higher order enforcement actions. The Division should make concerted efforts to establish enforcement procedures, including procedures with the states, to ensure expeditious enforcement in response to instances of non-compliance.

TSCA

4. PCB compliance and enforcement - The Division should continue its extensive compliance and enforcement activities aimed at facilities especially those in high-priority geographical areas of environmental concern, that are regulated under Section 6 of TSCA. During 1984, emphasis will be placed on completing 154 high-quality inspections and preparing appropriate enforcement actions. Mechanisms for coordinating PCB inspectional and enforcement activities with other related Regional regulatory activities should be further delineated and used.

5. PCB disposal - The Division should continue to give due emphasis to approvals of PCB disposal and destruction. This is especially important relative to the January 1984 requirement that all stored PCB's must be properly disposed of or destroyed. In addition, the Division should emphasize compliance with the PCB disposal approvals already issued by the Regional Administrator.

6. Asbestos in schools - In FY 1984 the Division should at least double its FY 1983 level of activity in the "school asbestos" compliance and enforcement program. Emphasis will continue to be placed on substantive non-compliance with the asbestos requirements under Section 6 of TSCA. Additional efforts will be undertaken to broaden compliance activities with the state school authorities as well as publicizing noteworthy cases of Federal enforcement action.

FIFRA

7. State/Federal pesticides enforcement - The Division should identify areas in state/Federal pesticides enforcement needing improvement, such as compliance tracking. Specific mechanisms for making pesticides enforcement more effective and more comprehensive should be developed during the year. The Division should consult with state agriculture and environmental agencies.

8. Pesticides Use and Misuse - In its pesticides enforcement program, the Division should place greater emphasis on taking actions in cases of pesticides misuse. In addition, the Division, together with the states and other Agency offices, should identify areas where pesticides use according to label instructions may be contributing to environmental degradation.

9. Ohio Pesticides Program - During FY 1984 the Division must place additional emphasis on assisting the State of Ohio in developing its cooperative pesticides enforcement program. Careful attention should be paid to helping the State make any adjustments necessary to enable it to operate a mature cooperative pesticides enforcement program.

CERCLA

10. Remedial Accomplishments - The Division should be directing its efforts toward full achievement of the outputs specified in the Headquarters approved Remedial Accomplishments Plan (RAP). The RAP, for which the

Division must develop and maintain a detailed schedule, calls for the completion of 18 Remedial Investigation/Feasibility Studies, 8 Remedial Designs, 4 Remedial Actions, 2 Initial Remedial Measures, 1,010 Preliminary Assessments and 247 Site Investigations. Close coordination of these activities with the states will continue.

11. Superfund Enforcement - The Division, in cooperation with the states, should continue its efforts to identify and plan candidate sites for various enforcement activities. These activities include responsible party searches, negotiations with responsible parties, administrative and judicial enforcement actions, and cost recovery actions. An important management goal for Superfund in the Region will be the full integration of the planning and implementation of remedial action and enforcement activities during FY 1984.

Multi-Media

12. Toxics Coordination - The Division will co-chair (with the Planning and Management Division) the Region's reorganized toxics coordination effort. This major initiative under the general direction of the Deputy Regional Administrator will establish an initial agenda of toxics goals and work priorities to be addressed in the FY 1985 Regional planning process. Subsequently, during this year, the toxics coordinating effort will define a process for defining and implementing a toxics strategy in the Region on a continuing basis.

13. Dioxin Strategy - The Division will continue to provide overall leadership to the Region's dioxin initiative, including serving on the Headquarters Dioxin Management Task Force and coordinating the preparation and implementation of the Region's multi-program dioxin work plan.

Management, Personnel, Administration

14. General Management - During FY 1984 the Division will give added emphasis to establishing and maintaining planning, management, tracking and evaluation procedures. Particular attention will be paid on a continuing basis to scheduled accomplishment of work plan and AMAS commitments; timely, high-quality response to congressional and other controlled inquiries; briefings; and routine reporting to the ORA and Headquarters.

15. Affirmative Action - The Division will be placing added emphasis on developing and implementing a progressive EEO accomplishments plan. The growth of the Division this year will provide a good opportunity to make significant progress in the area of affirmative action.

16. Internal Controls - The Division will be undertaking a concerted effort to establish strong internal controls in the areas of greatest vulnerability: (a) adequate information management system which is well-organized, well-maintained, and secure; and (b) RCRA permitting administrative records.

17. Space - The Division will work with the Planning and Management Division as well as the Office of the Regional Administrator to secure critically needed space to accommodate the significant expansion of the Division. Our objective is to secure space on two successive floors in the Kluczynski Federal Building as early in FY 1984 as possible.

V. Conclusion

FY 1984 will provide many new challenges to the Waste Management Division and to each of its members. Based on the accomplishments of FY 1983, it is clear that the Division has built a strong foundation for achieving our ambitious objectives established for FY 1984.