

OSWER Dir 9938.3

United States
Environmental Protection
Agency

Office of
Solid Waste and
Emergency Response



DIRECTIVE NUMBER: 9938.3

TITLE: RCRA Technical Case Development Guidance Document

APPROVAL DATE: 7/13/98

EFFECTIVE DATE: 7/13/98

ORIGINATING OFFICE: OWPE

☒ **FINAL**

☐ **DRAFT**

☒ **A** — Signed by AA or DAA

☐ **B** — Signed by Office Director

☐ **C** — Review & Comment

REFERENCE (other documents):

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OSWER Directive Initiation Request

2. Originator Information

Name of Contact Person Emily S. Chow	Mail Code WH-527	Office OWPE, RED	Telephone Code 475-9329
3. Title RCRA Technical Case Development Guidance Document			
4. Summary of Directive (include brief statement of purpose) The Technical Case Development Guidance Document will provide guidance to RCRA inspectors, compliance officers, case developers, and other enforcement personnel in the development of RCRA enforcement cases. It includes overview of case development process, rules of evidence, pre-inspection and on-site sampling procedures.			
5. Keywords Inspector, Enforcement Officer, Case development, Enforcement case.			
6a. Does This Directive Supersede Previous Directive(s)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes What directive (number, title)			
b. Does It Supplement Previous Directive(s)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes What directive (number, title)			
7. Draft Level <input type="checkbox"/> A - Signed by AA/DAA <input type="checkbox"/> B - Signed by Office Director <input type="checkbox"/> C - For Review & Comment <input type="checkbox"/> D - In Development			

8. Document to be distributed to States by Headquarters?

☒

Yes

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No

This Request Meets OSWER Directives System Format Standards.

9. Signature of Lead Office Directives Coordinator <i>Darlene Williams</i>	Date 5/5/88 12/8/88
10. Name and Title of Approving Official	Date

EPA Form 1315-17 (Rev. 5-87) Previous editions are obsolete.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 13 1988

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: RCRA Technical Case Development Guidance Document

FROM: *J. Winston Porter*
J. Winston Porter
Assistant Administrator

TO: Waste Management Division Directors
Environmental Services Division Directors
Regions I-X

Attached is the final RCRA Technical Case Development Guidance Document. This document is designed to assist the Regional and State enforcement personnel in developing enforcement cases. Besides a detailed description of the case development procedures, the document also included a list of the technical resources available to the enforcement personnel.

The development of this guidance document was assisted by a workgroup composed of both technical and legal staff from the Regions and the State, and staff from the Office of Enforcement and Compliance Monitoring, the Office of General Counsel, the CERCLA Enforcement Division, the Environmental Response Team, and the National Enforcement Investigations Center.

The document will assist RCRA inspectors and enforcement personnel to:

- o understand the overall case development process
- o adequately prepare for and conduct inspections at RCRA facilities
- o properly collect appropriate evidence for potential enforcement actions
- o properly handle and organize enforcement files
- o provide technical assistance to legal counsels during enforcement actions

This guidance document is the first comprehensive document that combines enforcement-related information from various sources into a single volume. This document provides the enforcement personnel all the essential information needed for developing enforcement cases, and it complements the other enforcement documents and guidances.

If you have questions on the RCRA Technical Case Development Guidance Document, please call Bruce Potoka (FTS-382-2270) or Emily Chow (FTS-475-9329), RCRA Enforcement Division.

Attachment

cc: Hazardous Waste Branch Chiefs, Regions I-X
RCRA Enforcement Section Chiefs, Regions I-X