

US EPA ARCHIVE DOCUMENT



Survey of Surface Impoundments

Background and Instructions

The public reporting and recordkeeping burden for this collection of information is estimated to average 90.5 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, to the Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2137), 401 M St., S.W., Washington, D.C. 20460, and to the Desk Officer for EPA, Office of Management and Budget, Office of Information and Regulatory Affairs, Room 10202, 725 17th Street N.W., Washington, D.C. 20503. Include the OMB control number in any correspondence. Do not send the completed survey to this address.

If you have questions, call the RCRA,
Superfund and EPCRA Hotline:

1-800-424-9346

Background

The U.S. Environmental Protection Agency (EPA) is conducting a study of facilities which manage industrial waste in surface impoundments. Part of the study is mandated by Congress under the 1996 Land Disposal Program Flexibility Act. Congress asked EPA to characterize risks posed by managing wastewaters in surface impoundments that are regulated under the Clean Water Act, and to determine whether existing regulations adequately address risks that may be present. The scope of the study covers industrial wastewaters. **The study does not, however, cover wastewaters that are classified as hazardous wastes under the federal Resource Conservation and Recovery Act (RCRA).**

What EPA Plans to do with the Information You Supply

With the information you provide, EPA will characterize the population of nonhazardous waste surface impoundments in the United States. For example, EPA will have updated information on:

- surface impoundment use in various industries and geographic locations,
- operating and closure practices, and
- surface impoundment designs and configurations.

EPA will also estimate the potential human health and ecological risks from chemical releases from nonhazardous surface impoundments. EPA will use mathematical models to represent the transport of chemicals from entry into surface impoundments to their uptake by a human or ecological receptor. While the models are simplified representations of the complex biological, chemical and physical processes occurring in the impoundments and the environment, the models still require considerable data.

The measured or estimated data that you provide will enable EPA to estimate more realistically the potential human health and ecological risks from chemical releases from your nonhazardous waste surface impoundments. The fewer data you provide, the more EPA will need to rely on simplifying assumptions. In some cases these assumptions could differ considerably from the conditions at your facility, and could result in risk estimates that indicate more risk than if EPA uses data supplied by you. The risk estimates will be one factor in EPA's determination of the need for regulations to address potential risks. It is to your benefit to supply the information we are requesting in this questionnaire to ensure that EPA's determination is made with the best available data.

In addition to the risk estimates, EPA will use the information you provide to profile the attributes of nonhazardous waste surface impoundments and their physical settings (e.g., their hydrogeologic settings, geographic distribution, and surface impoundment use patterns across industries).

How to Prepare Your Response

Return the completed questionnaire no later than 90 calendar days after the day you received it. This means that the completed, signed questionnaire must be postmarked or placed with an overnight or two-day delivery service no later than the 90th calendar day after the day you received it.

You are required to provide only information that is available to you already. In addition, you may *elect* to conduct sampling or other specific analyses to obtain information that you do not currently have, in order to respond to this questionnaire. EPA encourages you to collect the information requested in this questionnaire. However, if the requested information is not available and you do not elect to obtain it, the instructions for each question indicate the appropriate response.

You can type or neatly handwrite your responses on this paper copy. You must submit the map, diagram and sketches from sections B and C as paper copies (**save the cardboard mailing tube for returning the map and any oversized diagrams or sketches**). You can provide all other responses electronically on a 3.5" personal computer diskette. If you indicated a preference for receiving this questionnaire electronically, we have provided an electronic version for your use. If you prefer to complete portions of this questionnaire electronically, but did not receive an electronic version, or if there are problems with the electronic version you did receive, please call (703-308-8447) to obtain a new copy.

Confidential Business Information

You may make a business confidentiality claim by marking the appropriate data as 'CBI' (Confidential Business Information) in the box next to the response containing sensitive data. You may not withhold information from the Agency because you believe it is confidential. EPA will disclose information that you designate as CBI only to the extent set forth in 40 CFR Part 2. If you fail to claim the information as confidential upon submission, it may be made available to the public without further notice to you.

We must notify you if we intend to deny your claim, and you have the right to seek judicial review. Otherwise, we must protect the information from disclosure to anyone other than EPA and its authorized representatives, and we may not release it under the Freedom of Information Act. It may, however, be disclosed to Congress or the Comptroller General of the United States at their request, or be released by order of a federal court. The complete regulations regarding confidential information are given at 40 CFR Part 2 Subpart B. See Appendix 1.

You may make a CBI claim with respect to all or any piece of information submitted in response to this request. If a claim is made on such information, the Agency may require that you substantiate your claim; in that event, failure to substantiate your claim could result in a waiver of the claim. Claims of confidentiality for information such as company name and address, site topography, and other information that is typically available through public sources are unlikely to be supportable. You are, therefore, urged to review all potential confidentiality claims before presenting them to EPA and to make claims only on those portions of your response that you feel are confidential.

When you have completed and signed your questionnaire, and indicated on it any information you wish to claim as business confidential, photocopy the entire questionnaire (or electronically copy it if you have completed an electronic version), photocopy all maps and sketches, and retain the photocopy and/or electronic file for a period of three years from the date you signed the certification page.

If your response contains information that you are claiming as Confidential Business Information (CBI), send it only to Regina Magbie at the appropriate address listed below. You may submit the paper copy with your responses marked on it. You may also submit your response as one or more electronic files on a 3.5" personal computer diskette, provided your electronic files are accompanied by a letter that identifies the file software and version, file name(s), size(s), date(s) and time(s) of creation, and includes the certification statement and signature, and all maps, diagrams and sketches from Sections B and C. If you choose to submit your responses via diskette, you must provide two complete sets of diskettes to:

For U.S. mail:

Regina Magbie
Mail Code 5305W
Office of Solid Waste
U.S. Environmental Protection Agency
401 M St., SW
Washington, DC 20460

EPA strongly discourages using a private overnight mail delivery service to return this questionnaire directly to EPA. However, if you do elect to use a **private overnight mail** delivery service, please use the following address:

Regina Magbie
Room 7-W16
U.S. Environmental Protection Agency
Office of Solid Waste
2800 Crystal Drive
Arlington, VA 22202
(703)308-7909

If your response does not contain CBI, send it to EPA's contractor at the appropriate address listed below. You may submit the paper copy with your responses marked on it. You may also submit your response as one or more electronic files on a 3.5" personal computer diskette provided your electronic files are accompanied by a letter that identifies the file software and version, file name(s), size(s), date(s) and time(s) of creation, and that includes the certification statement and signature, and all maps, diagrams and sketches from Sections B and C. If you choose to submit your responses via diskette, you must provide two complete sets of diskettes to:

For U.S. mail:

Attn: E. Darden
Research Triangle Institute
P.O. Box 12194
Research Triangle Park, NC 27709-2194

For a private overnight mail delivery service:

Attn: E. Darden
Research Triangle Institute
3040 Cornwallis Road
Hobbs Building
Research Triangle Park, NC 27709

Organization of Questionnaire

This questionnaire includes three sections of questions and four appendices:

- A. Facility and Corporate Information** - this section includes questions on your facility's name, location, contacts, and parent company (or parent organization). We have pre-loaded the information we already have; please confirm that this information is correct or write the correct information in the space provided. Complete Section A only once for your facility.
- B. Facility Wastewater Treatment Overview & Environmental Setting** - this section includes requests for an overview of your facility's wastewater treatment processes, including a wastewater flow diagram and topographic map. This section also requires you to identify the surface impoundments at your facility that are "in-scope" and for which we will request more detailed information in Section C. Finally, this section asks for facility-level information that will support the fate and transport modeling of chemical constituents that may migrate from your facility. Complete Section B only once for your facility.
- C. Surface Impoundment Design and Operating Information** - this section requests information on the treatment processes, wastewater operations, impoundment history, liner specifications, and wastewater and sludge characterization data (that is, lists of constituents present and available constituent concentration data) for each surface impoundment. Complete one copy of Section C for each in-scope surface impoundment you identified in Section B that received wastewaters on or after June 1, 1990.

- Appendix 1 - Authority and Confidentiality: EPA Procedures for Handling Confidential Business Information
- Appendix 2 - List of Chemical Constituents of Interest for this Study
- Appendix 3 - Reference Table for Exclusions and Exemptions
- Appendix 4 - Glossary of Acronyms and Technical Terms