

US EPA ARCHIVE DOCUMENT

**SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST NUMBER 262.09
"RCRA HAZARDOUS WASTE PERMIT APPLICATION
AND MODIFICATION, PART A"**

May 6, 1999



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1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) TITLE AND NUMBER OF THE INFORMATION COLLECTION

This ICR is entitled "RCRA Hazardous Waste Permit Application and Modification, Part A," ICR number 262.09.

1(b) CHARACTERIZATION OF THE INFORMATION COLLECTION

The Resource Conservation and Recovery Act (RCRA) of 1976, as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, requires EPA to establish a national regulatory program to insure that hazardous wastes are managed in a manner protective of human health and the environment. Specifically, the statute requires EPA to promulgate regulations that establish performance standards and permitting requirements applicable to hazardous waste treatment, storage, and disposal facilities (TSDFs). Section 3004 of Subtitle C establishes performance standards applicable to these facilities. Section 3005 requires EPA to promulgate regulations requiring these facilities to obtain a permit. In the event permit modifications are proposed by an applicant or EPA, modifications must conform to the requirements under Sections 3004 and 3005. The regulations implementing these requirements are codified at 40 CFR Part 270.

This ICR provides a comprehensive discussion of the requirements for owner/operators of TSDFs submitting Part A Permit Applications or Part A Permit Modifications. Four types of facilities are subject to the requirements covered in this ICR: new facilities not yet constructed; newly regulated facilities subject to RCRA permitting requirements for the first time; permitted facilities with newly regulated units; and interim status facilities. The information collections contained in this ICR are divided into two sections: Contents of the Part A Permit Application; and Revised Part A Permit Applications, Associated Justifications and Compliance Demonstrations.

Part A Permit Application

40 CFR Part 270 contains requirements for submitting and modifying a Part A Permit Application. The Part A Permit Application contains the general information required in §270.13. Section 270.11 specifies the signature requirements for Part A Permit Applications and reports.

Revised Part A Permit Applications and Associated Justifications and Subpart H Compliance Demonstrations

Section 270.72 identifies the types of changes requiring interim status facilities or owners/operators of permitted facilities with newly regulated units to submit a revised Part A Permit Application, associated justifications, and compliance demonstrations.

2. NEED FOR AND USE OF THE COLLECTION

2(a) NEED AND AUTHORITY FOR THE COLLECTION

This section describes the need and authority for each type of information collection analyzed in this ICR.

Part A Permit Application

EPA promulgated regulations in §270.1 requiring owners or operators of TSDFs to submit a Part A Permit Application. EPA needs information contained in the Part A Permit Application to identify the person(s) legally responsible for hazardous waste activity, to determine which facilities require permits under more than one program, to assess potential for the facility to pollute nearby ground and surface waters, to identify the time frame available for EPA to process permit applications, and to define the specific wastes a facility is legally allowed to handle for different purposes.

Revised Part A Permit Applications and Associated Justifications and Subpart H Compliance Demonstrations

EPA promulgated regulations in §270.72 outlining changes that require owners or operators to submit revised Part A Permit Applications. Section 270.72(a)(1)-(3) require owner/operators to submit both a revised Part A Permit Application and a written justification for changes in the design capacity of processes used at the facility, and/or changes or additions in a facility's hazardous waste treatment, storage, or disposal processes. Under §270.72(a)(4), if an owner or operator changes ownership, or operational control of a facility, the new owner or operator is required to submit a revised Part A Permit Application, and a Subpart H compliance demonstration. EPA needs revised permit applications, justifications, and compliance demonstrations to determine whether desired changes are acceptable or should be more closely reviewed as part of a full permit issuance process.

2(b) USE AND USERS OF THE DATA

Part A Permit Application

EPA uses information in the Part A Permit Application to define which processes can be used and which wastes can be handled at newly regulated facilities subject to permitting requirements for the first time and permitted facilities with newly regulated units. This includes defining allowable changes in facility operations and applies to new facilities not yet constructed; newly regulated facilities subject to RCRA permitting requirements for the first time; permitted facilities with newly regulated units; and interim status facilities. EPA uses information in the Part A Permit Application to:

- Set priorities for processing permit applications;
- Respond to requests from hazardous waste generators for the names and locations of facilities where they can send their waste for storage, treatment, or disposal;
- Respond to public and Congressional inquiries regarding particular hazardous waste management facilities; and
- Ensure that facilities are not operating in a manner unprotective of human health and the environment.

Revised Part A Permit Applications and Associated Justifications and Subpart H Compliance Demonstrations

EPA uses this information to determine whether desired changes are acceptable under interim status or whether the change should be more closely reviewed as part of a full permit issuance process. In addition, modifying the Part A Permit Application allows inspectors to have up-to-date information on major aspects of the facility, including the size of the operation, the hazardous wastes handled, and the types of processes used. Without this documentation, EPA would be unable to determine the owner or operator's compliance with the management standards of 40 CFR Parts 264 or 265 or the rules governing changes during interim status. This documentation is also useful for both EPA and the owner or operator in an enforcement action.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) NONDUPLICATION

There are no other Federal agencies with a hazardous waste permit program, and information collected from a RCRA Part A Permit Application is the minimum information necessary to fulfill the statutory requirements of RCRA Section 3005. Similarly, the information requested in §270.72 for interim status facility changes is not available from other data sources. Any duplication of information collection requirements between a Part A Permit Application and EPA Form 8700-12 (for RCRA Section 3010 notification) is necessary for proper identification of the facility and proper form management. The information collection requirements associated with EPA Form 8700-12 and RCRA Section 3010 notification are addressed in the "Notification of Regulated Waste Activity," ICR No. 261.13.

Under section 3006 of RCRA, EPA began in fiscal year 1982 to authorize States to carry out permitting activities in lieu of the Federal program. In order to obtain authorization, the States must agree to collect the same information as EPA collects. Although the States are not required to use the same form that EPA uses, the Agency strongly encourages this for national consistency. Facilities applying for a permit or change in interim status in an authorized State are required to file only with the State.

3(b) CONSULTATIONS

EPA promulgated the rules covered by this ICR using proper rulemaking procedures. EPA made every effort to consult with the general public, State, and industry officials, and appropriate Federal agencies. Members of the regulated community who were contacted include:

- Jackie Carpenter, Systech Environmental Corp. (316) 378-4451
- Richard Flanary, Kansas Gas SVC Calista Stat (785) 575-8541
- Brad Hoium, Advanced Flex, Inc. (612) 930-4828
- Troy Holadia, International Paper (910) 763-2921
- Brian Obr, Vulcan Chemicals (316) 524-4211
- Jens Shoenfuss, BF Goodrich Textile Chemicals Inc. (704) 393-0089

3(c) PUBLIC NOTICE

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice at [INSERT FR CITATION]. The public comment period extended through [INSERT DATE]. [INSERT DISCUSSION ON COMMENTS RECEIVED AND HOW THEY WERE INCORPORATED OR ADDRESSED].

3(d) EFFECTS OF LESS FREQUENT COLLECTION

A respondent's provision of information on a Part A Permit Application is essentially a one-time exercise that must occur when a facility is new or if an existing facility becomes subject to new permitting requirements. Subsequent revisions to the Part A Permit Application are necessary only if an interim status facility changes its ownership and/or process or management of wastes. EPA strongly believes that if the minimum requirements specified under the regulations are not met, neither the facilities nor EPA can ensure that hazardous wastes are being properly managed, and do not pose a serious threat to human health and the environment.

3(e) GENERAL GUIDELINES

This ICR adheres to the guidelines stated in the Paperwork Reduction Act of 1995, OMB's implementing regulations, OMB's Information Collection Review Handbook, and other applicable OMB guidance.

3(f) CONFIDENTIALITY

All information submitted in a Part A Permit Application or revision will be subject to public disclosure, without notice to the facility, in accordance with the Freedom of Information Act, 5 U.S.C. section 552, and EPA Freedom of Information Regulations, 40 CFR Part 2. Because of the general nature of the information requested, only a few Part A Permit

Applications to date have qualified for exemption to disclosure under the business confidentiality exception. Claims of confidentiality must be clearly indicated on the forms and attachments, and must be accompanied, at the time of filing, by a written substantiation of the claim in accordance with 40 CFR Part 2, Subpart B (particularly the information described at 40 CFR section 2.204(e).) Information that is determined to be confidential is placed in a secured "confidential file" for future use. Only persons with special clearance for confidential information have access to these files.

3(g) SENSITIVE QUESTIONS

The information collected is not of a personal nature nor subject to the Privacy Act of 1974 or OMB Circular A-108.

4. RESPONDENTS AND THE INFORMATION REQUESTED

4(a) RESPONDENTS AND NAICS CODES

The following is a list of NAICS codes associated with the facilities most likely to be affected by the Part A Permit Application and permit modifications under this ICR:

NAICS Code

221121	Electric Bulk Power Transmission and Control
221122	Electric Power Distribution
22132	Sewage Treatment Facilities
311942	Spice and Extract Manufacturing
323114	Quick Printing
32411	Petroleum Refineries
325131	Inorganic Dye and Pigment Manufacturing
325199	All Other Basic Organic Chemical Manufacturing
325211	Plastics Material and Resin Manufacturing
32551	Paint and Coating Manufacturing
325998	All Other Miscellaneous Chemical Product Manufacturing
331311	Alumina Refining
33271	Machine Shops
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
333319	Other Commercial and Service Industry Machinery Manufacturing
333999	All Other General Purpose Machinery Manufacturing
33422	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing
334418	Printed Circuit/Electronics Assembly Manufacturing
334419	Other Electronic Component Manufacturing
336211	Motor Vehicle Body Manufacturing

336312	Gasoline Engine and Engine Parts Manufacturing
336322	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing
33633	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
33634	Motor Vehicle Brake System Manufacturing
33635	Motor Vehicle Transmission and Power Train Parts Manufacturing
336399	All Other Motor Vehicle Part Manufacturing
44111	New Car Dealers
44711	Gasoline Stations with Convenience Store
44719	Other Gasoline Stations
454312	Liquefied Petroleum Gas (Bottled Gas) Dealers
48411	General Freight Trucking, Local
48421	Used Household and Office Goods Moving
48422	Specialized Freight (except Used Goods) Trucking, Local
562111	Solid Waste Collection
562112	Hazardous Waste Collection
562119	Other Waste Collection
562211	Hazardous Waste Treatment and Disposal
562212	Solid Waste Landfills
562213	Solid Waste Combustors and Incinerators
562219	Other Nonhazardous Waste Treatment and Disposal
56292	Materials Recovery Facilities
811111	General Automotive Repair

4(b) INFORMATION REQUESTED

Part A Permit Application

Contents of the Part A Permit Application

(i) Data items

40 CFR 270.1 requires owners or operators of newly regulated facilities subject to permitting requirements for the first time and permitted facilities with newly regulated units to prepare and submit a Part A Permit Application. Data items required in EPA Form 8700-23 are outlined in §270.13 and include the following:

- A list of the activities conducted by the applicant that require the owner or operator to obtain a RCRA permit;
- Name, mailing address, and location, including latitude and longitude of the facility for which the application is submitted;

- Up to four NAICS codes that best reflect the principal products or services provided by the facility;
- Operator's name, address, telephone number, ownership status, and status as Federal, State, private, public or other entity;
- Name, address, and phone number of the owner of the facility;
- Whether the facility is located on Indian lands;
- An indication of whether the facility is new or existing and whether it is a first or revised application;
- For existing facilities, the following information:
 - A scale drawing of the facility showing the location of all past, present, and future treatment, storage, and disposal areas and
 - Photographs of the facility clearly delineating all existing structures; existing treatment, storage and disposal areas; and sites of future treatment, storage, and disposal areas;
- A description of the processes to be used for treating, storing, and disposing of hazardous waste, and the design capacity of these items;
- A specification of the hazardous wastes listed or designated under 40 CFR Part 261 to be treated, stored, or disposed of at the facility; an estimate of the quantity of such wastes to be treated, stored, or disposed annually; and a general description of the processes to be used for such wastes;
- A listing of all permits or construction approvals received or applied for under any of the following programs:
 - Hazardous Waste Management program under RCRA
 - Underground Injection Control (UIC) Program under the Safe Drinking Water Act (SDWA)
 - National Pollutant Discharge Elimination System (NPDES) program under the Clean Water Act (CWA)
 - Prevention of Significant Deterioration (PSD) program under the Clean Air Act
 - Nonattainment program under the CAA
 - National Emission Standards for Hazardous Air Pollutants (NESHAPS) preconstruction approval under the CAA

- Ocean dumping permits under the Marine Protection Research and Sanctuaries Act
 - Dredge or fill permits under section 404 of the CWA
 - Other relevant environmental permits, including State permits.
- A topographic map (or other map if a topographic map is unavailable) extending one mile beyond the property boundaries of the source, depicting the following aspects of the facility:
 - Each of its intake and discharge structures;
 - Each of its hazardous waste treatment, storage, or disposal facilities;
 - Each well where fluids from the facility are injected underground; and
 - Wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within 1/4 mile of the facility property boundary.
 - A brief description of the nature of the business.
 - For hazardous debris, a description of the debris category(ies) and containment category(ies) to be treated, stored, or disposed of at the facility.

(ii) Respondent activities

To comply with §270.1, owners or operators must perform the following activities:

- Read the regulations and instructions; and
- Prepare the Part A Permit Application and reports.

Signatories to Permit Applications and Permit Application Reports

(i) Data items

- §270.11(a) specifies signatures required on Part A Permit Applications. Data items required include:
 - For a corporation, the signature of a responsible corporate officer as defined in §270.11(a)(1);
 - For a partnership or sole proprietorship, the signature of a general partner or proprietor as defined in §270.11(a)(2); and
 - For a municipality, State, Federal, or other public agency, the signature of either a principal executive officer or ranking elected official as defined in §270.11(a)(3).

- §270.11(b) requires signatures for reports required by permits and other information requested by the Director. Data items required for these reports include:
 - For a corporation, the signature of a responsible corporate officer as defined in §270.11(a)(1);
 - For a partnership or sole proprietorship, the signature of a general partner or proprietor as defined in §270.11(a)(2);
 - For a municipality, State, Federal, or other public agency, the signature of either a principal executive officer or ranking elected official as defined in §270.11(a)(3); or
 - Signature of a duly authorized representative of one of the persons listed above as defined in §270.11(b).
- §270.11(c) requires an owner or operator to submit to the Director, a new authorization satisfying the requirements of §270.11(b) if an authorization under §270.11(b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility. Data items for this requirement are the same as those under §270.11(b).
- §270.11(d) requires any person signing a document under §270.11(a) or (b) to make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to be the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possibility of fine and imprisonment for knowing violations.

(ii) Respondent activities

To comply with §270.11, owners or operators must perform the following activities:

- Obtain signatures and certifications for the Part A Permit Application, reports, and other information requested by EPA; and
- Obtain a new authorization for invalid authorizations.

Submittal of Part A Permit Application

(i) Data items

Section 270.70(b) requires owners and operators who submit a Part A Permit Application to EPA, to explain or cure an alleged deficiency in the Part A Permit Application, if EPA notifies the applicant that the application fails to meet the requirements of §270.13.

(ii) Respondent activities

To comply with §§270.11 and 270.70, respondents must perform the following activities:

- Submit the Part A Permit Application and reports; and
- Explain or cure an alleged deficiency in the Part A Permit Application, if required.

Revised Part A Permit Applications and Associated Justifications and Subpart H Compliance Demonstrations

(i) Data items

Under §270.72, interim status facilities must prepare and submit a revised Part A Permit Application if the Agency promulgates a rulemaking that affects the facility, or if the owner/operator otherwise modifies the facility. Interim status facilities who modify their Part A Permit Application are required to submit a revised Part A Permit Application containing the data items listed in the data item section for EPA Form 8700-23.

(ii) Respondent Activities

To comply with §270.72, owners or operators must perform the following activities:

- Read the regulations and instructions in preparation for revising a Part A Permit Application in response to an Agency rulemaking or a facility modification;
- Prepare and submit a revised Part A Permit Application in response to an Agency rulemaking or facility modification;
- Prepare and submit justifications for changes, if needed; and
- Submit Subpart H compliance demonstrations, if needed.

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) AGENCY ACTIVITIES

Part A Permit Application

Agency activities associated with Part A Permit Applications include reviewing information contained in the application, ensuring that the Part A Permit Application and associated reports are signed by the appropriate person, reviewing newly authorized signatures when a different individual or position gains responsibility for the overall operation of a facility, reviewing signature certifications, and entering information into the RCRIS database. EPA may also identify deficiencies in the Part A Permit Application.

Revised Part A Permit Applications and Associated Justifications and Subpart H Compliance Demonstrations

Agency activities associated with revised Part A Permit Applications, justifications, and compliance demonstrations include reviewing information contained in each of these items, and entering revised information into the RCRIS database.

5(b) COLLECTION METHODOLOGY AND MANAGEMENT

In collecting and analyzing the information discussed in this ICR, EPA uses the EPA IBM mainframe computer and Agency-licensed data base software.

5(c) SMALL ENTITY FLEXIBILITY

Interim status is statutorily conferred without regard to facility size. Therefore, EPA believes that requirements regarding Part A submissions and revisions must apply equally to large and small businesses. Although the legal requirements for Part A Permit Application information are the same for large and small businesses, the Agency believes that in practice the small entities will find it easier to provide the required information. In many instances, a small organization will be able to complete or revise the Part A Permit Application in less time than larger organizations because they use fewer processes for the management of hazardous wastes and they manage fewer types of wastes. As a rule of thumb, the complexity of preparing a Part A Permit Application depends upon the complexity of the processes of a hazardous waste facility and the wastes managed at the facility. Therefore, if a small organization operates a complex facility (e.g., a chemical landfill that manages a very large number of waste streams), then the time to complete the Part A Permit Application will necessarily be greater. Again, EPA has taken steps to minimize the burden on all respondents by providing detailed instructions for completion of the Part A Permit Application form and by requiring short answer responses to most of the items of the application.

It also should be noted that the reporting requirements for changes are brief. Therefore, owners or operators can easily comply with these requirements. In addition, most of the revisions to Part A Permit Applications will entail merely checking boxes or filling in numbers to indicate the type of new activity or new waste to be handled at the facility. Any written justification entails a short letter from the owner or operator. EPA, therefore, estimates that the potential burden on small businesses caused by this information collection is minimal.

5(d) COLLECTION SCHEDULE

Part A Permit Application

Owners or operators of new hazardous waste management facilities that are not yet constructed are required to submit their Part A Permit Application, including signatures and certifications at least 180 days before physical construction is expected to commence. For existing facilities newly subject to RCRA permitting requirements due to promulgation of a new regulation or listing of hazardous waste, the new regulation typically specifies the date by which Part A Permit Applications, including signatures and certifications, must be submitted.

Revised Part A Permit Applications and Associated Justifications and Subpart H Compliance Demonstrations

The time frame in which owners or operators must submit a revised Part A Permit Application varies according to the nature of changes at the facility. For the following types of changes, the owner or operator must submit revised Part A Permit Applications and justifications prior to making the changes:

- Treating, storing, or disposing of hazardous wastes not previously identified in the Part A Permit Application;
- Increasing the design capacity of processes used at the facility; and
- Changing or adding processes for treating, storing, or disposing of hazardous wastes.

For changes in ownership or operational control of a facility, the new owner or operator must submit a revised Part A Permit Application no later than 90 days prior to the scheduled change. Subpart H compliance demonstrations must be submitted within six months of the date of the change in ownership or operational control of the facility.

6. ESTIMATING THE BURDEN AND COST OF COLLECTION

6(a) ESTIMATING RESPONDENT BURDEN

EPA estimated respondent burden hours and costs associated with all of the requirements covered in this ICR in Exhibit 1. The exhibit includes the number of hours required to conduct the information collection activity and the cost associated with each requirement. Some totals may not add up due to rounding errors. In developing burden estimates for each information collection requirement in the ICR, EPA consulted with members of the regulated community.

Part A Permit Application

Based on the RCRIS database, EPA estimates that approximately 10 facilities will be required to submit new Part A Permit Applications annually during the period covered by this ICR. This number was obtained by averaging the number of new Part A Permit Applications EPA received for fiscal years 1996, 1997, and 1998. All 10 facilities will be required to obtain signatures for the Part A Permit Application, Part A Permit Application reports, and other information requested by the Director. In addition, all 10 facilities will be required to obtain certifications from persons signing permit documentation.

EPA estimates that 10 percent of the facilities submitting Part A Permit Applications will have authorizations that are no longer accurate because a different individual or position has responsibility for the overall operation of the facility. Therefore, approximately 1 facility will be required to obtain a new authorization.

Revised Part A Permit Applications and Associated Justifications and Subpart H Compliance Demonstrations

Based on the RCRIS database, EPA also estimates that 49 facilities will need to revise their Part A Permit Application annually during the period covered in this ICR. This number was obtained by averaging the number of revised Part A Permit Applications EPA received for fiscal years 1996, 1997, and 1998. Of these, EPA expects that approximately one-third (16 facilities) will submit a revised Part A Permit Application in response to an EPA rulemaking, and two-thirds (33 facilities) will submit a revised Part A Permit Application for a facility modification. EPA further estimates that one-third of facilities submitting revised Part A Permit Applications (16 facilities) will be required to submit justifications due to either changes in the design capacity of processes used at the facility and/or changes or additions in a facility's hazardous waste treatment, storage, or disposal processes. In addition, EPA estimates that one-third of facilities submitting revised Part A Permit Applications (16 facilities) will be required to submit a Subpart H compliance demonstration due to changes in ownership or operational control of a facility.

EXHIBIT 1
 RCRA HAZARDOUS WASTE PERMIT APPLICATION AND MODIFICATION, PART A
 ESTIMATED ANNUAL RESPONDENT BURDEN AND COST

	Hours and Costs per Respondent								Total Hours and Costs		
	Legal \$95.00/hr.	Manager \$57.99/hr.	Technical \$44.23/hr.	Clerical \$21.16/hr.	Respon. Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O&M Cost	Number of Respon.	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
Part A Permit Application requirements											
Read the regulations and instructions	2.00	1.00	3.00	0.00	6.00	\$380.68	\$0.00	\$0.00	10	60.00	\$3,806.80
Prepare the Part A Permit Application and reports	1.50	3.00	9.00	1.50	15.00	\$746.28	\$0.00	\$4.20	10	150.00	\$7,504.80
Signatories to Permit Applications and Permit Application Reports											
Obtain signatures and certifications for Part A permit applications, reports, and other information requested by EPA	0.00	0.50	1.00	1.00	2.50	\$94.39	\$0.00	\$0.00	10	25.00	\$943.85
Obtain a new authorization for invalid authorizations	0.00	0.50	1.00	0.50	2.00	\$83.81	\$0.00	\$0.00	1	2.00	\$83.81
Submittal of Part A Permit Application											
Submit Part A Permit Application and reports	0.00	0.50	1.00	1.50	3.00	\$104.97	\$0.00	\$4.20	10	30.00	\$1,091.65
Explain or cure an alleged deficiency in Part A application, if required	0.00	0.50	2.00	1.00	3.50	\$138.62	\$0.00	\$0.00	1	3.50	\$138.62
Subtotal*	varies	varies	varies	varies	varies	varies	varies	varies	varies	270.50	\$13,569.52
Revised Part A Permit Application/Justifications/Subpart H Compliance											
Read the regulations and instructions (for Agency rulemaking)	0.00	1.00	2.00	0.00	3.00	\$146.45	\$0.00	\$0.00	16	48.00	\$2,343.20
Read the regulations and instructions (for facility modification)	0.00	1.00	2.00	0.00	3.00	\$146.45	\$0.00	\$0.00	33	99.00	\$4,832.85
Prepare and submit revised Part A (for rulemaking)	2.00	1.50	2.00	2.00	7.50	\$407.77	\$0.00	\$4.20	16	120.00	\$6,591.44
Prepare and submit revised Part A (for facility modification)	2.00	1.50	2.00	2.00	7.50	\$407.77	\$0.00	\$4.20	33	247.50	\$13,594.85
Prepare and submit justifications for changes, if needed	1.00	1.00	2.00	1.00	5.00	\$262.61	\$0.00	\$4.20	16	80.00	\$4,268.96
Submit Subpart H compliance demonstrations, if needed	1.00	1.00	2.00	1.00	5.00	\$262.61	\$0.00	\$4.20	16	80.00	\$4,268.96
Subtotal*	varies	varies	varies	varies	varies	varies	varies	varies	varies	674.50	\$35,900.26
TOTAL*	varies	varies	varies	varies	varies	varies	varies	varies	varies	945.00	\$49,469.78

* Some totals may not add up due to rounding errors.

6(b) ESTIMATING RESPONDENT COSTS

Labor Costs

EPA estimates an average hourly respondent labor cost (including overhead) of \$95 for legal staff, \$57.99 for managerial staff, \$44.23 for technical staff, and \$21.16 for clerical staff. To arrive at these estimates, EPA consulted members of the regulated community.

Annual Capital and Operations & Maintenance Costs

EPA estimates that facilities may incur annual capital and operations and maintenance costs associated with specific activities. There are no capital costs associated with completing and submitting the Part A Permit Application. For submittal of information or notices, EPA estimates that facilities will incur \$4.20 in costs each year for the three-year period of the ICR. This estimate is based on the mailing cost of \$4.20 for a two-pound package. There are no costs associated with the purchase of a service included in the O&M costs.

Using the total burden hours estimated in the above section, Exhibit 1 illustrates the respondent costs associated with all of the information collection activities covered in this ICR. As shown in Exhibit 1, EPA estimates that the total annual respondent burden for all activities covered in this ICR is approximately 945 hours, at an annual cost of \$49,470.

6(c) ESTIMATING AGENCY BURDEN AND COST

EPA estimates annual Agency burden hours and costs associated with all of the requirements covered in this ICR in Exhibit 2. Based on a 1999 GS pay schedule, EPA estimates an average hourly Regional labor cost of \$57.52 for legal staff, \$53.79 for managerial staff, \$39.44 for technical staff, and \$15.84 for clerical staff. The labor costs were based on the following GS levels and steps: legal labor rates were based on GS Level 15, Step 1, managerial labor rates were based on GS Level 14, Step 4, technical labor rates were based on GS Level 12, Step 5, and clerical labor rates were based on GS Level 5, Step 1. To derive hourly estimates, EPA divided annual compensation estimates by 2,080, which is the number of hours in the Federal work-year. EPA then multiplied hourly rates by the standard government overhead factor of 1.6. As shown in Exhibit 2, EPA estimates the total annual Agency burden to be approximately 231 hours, at an annual cost of \$8,354. Some totals may not add up due to rounding errors.

6(d) BOTTOM LINE BURDEN HOURS AND COSTS

Exhibits 1 and 2 show the average annual burden and cost to respondents and the Agency, respectively. The bottom line burden to respondents over three years is 2,835 hours, with a cost of approximately \$148,410. The bottom line burden to the Agency over three years is 693 hours, at a cost of \$25,062.

EXHIBIT 2
 RCRA HAZARDOUS WASTE PERMIT APPLICATION AND MODIFICATION, PART A
 ESTIMATED ANNUAL AGENCY BURDEN AND COST

INFORMATION COLLECTION ACTIVITY	Hours and Costs per Respondent								Total Hours and Costs		
	Legal \$57.52/hr.	Manager \$53.79/hr.	Technical \$39.44/hr.	Clerical \$15.84/hr.	Respon. Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O&M Cost	Number of Respon.	Total Hours/ Year	Total Cost/ Year
Part A Permit Application											
Review Part A Permit Applications	0.00	0.00	3.00	0.25	3.25	\$122.28	\$0.00	\$0.00	10	32.50	\$1,222.80
Enter Part A Application information into RCRIS Data Base	0.00	0.00	0.00	1.00	1.00	\$15.84	\$0.00	\$0.00	10	10.00	\$158.40
Notify applicant of deficiency in Part A Application	0.00	0.00	0.50	0.10	0.60	\$21.30	\$0.00	\$0.00	1	0.60	\$21.30
Signatories to Permit Applications and Permit Application Reports											
Ensure that Part A Permit Application and Reports have been signed by appropriate person	0.00	0.00	0.25	0.00	0.25	\$9.86	\$0.00	\$0.00	10	2.50	\$98.60
Review newly authorized signatures	0.00	0.00	0.25	0.00	0.25	\$9.86	\$0.00	\$0.00	1	0.25	\$9.86
Review signature certifications	0.00	0.00	0.25	0.00	0.25	\$9.86	\$0.00	\$0.00	10	2.50	\$98.60
Subtotal*	varies	varies	varies	varies	varies	varies	varies	varies	varies	48.35	\$1,609.56
Revised Part A Permit Application/Justifications/Subpart H Compliance Demonstrations											
Review revised Part A Permit Application	0.00	0.00	2.00	0.25	2.25	\$82.84	\$0.00	\$0.00	49	110.25	\$4,059.16
Enter revised Part A Permit Application information into RCRIS Data Base	0.00	0.00	0.00	0.50	0.50	\$7.92	\$0.00	\$0.00	49	24.50	\$388.08
Review justifications for changes	0.50	0.25	0.75	0.00	1.50	\$71.79	\$0.00	\$0.00	16	24.00	\$1,148.60
Review Subpart H compliance demonstrations	0.50	0.25	0.75	0.00	1.50	\$71.79	\$0.00	\$0.00	16	24.00	\$1,148.60
Subtotal*	varies	varies	varies	varies	varies	varies	varies	varies	varies	182.75	\$6,744.44
TOTAL*	varies	varies	varies	varies	varies	varies	varies	varies	varies	231.10	\$8,354.00

* Some totals may not add up due to rounding errors.

6(e) REASONS FOR CHANGE IN BURDEN

This ICR describes the total respondent burden for all activities required for the Part A Permit Application. In reviewing burden estimates for the submitting new and revising existing Part A Permit Applications, EPA consulted with members of the regulated community who recently developed and/or revised Part A Permit Applications for their facilities. In addition, EPA reviewed the number of new and revised Part A Permit Applications it has received over the last three fiscal years and looked at projections from the Regions and states for the current and next fiscal year.

Based on these data, EPA has lowered its estimate of the overall burden associated with new and revised Part A Permit Applications. First, based on a decrease in new Part A Permit applications, EPA has lowered its annual estimate of the number of respondents that are expected to prepare and submit new Part A Permit Applications from 56 in the previous ICR to 10 in this ICR. Second, based on an increase in the number of respondents submitting Part A revisions, EPA has increased its estimate of the number of annual Part A revisions from 3 in the previous ICR to 49 in this ICR. EPA believes this increase in Part A revisions is due to the ongoing consolidation of the hazardous waste industry, including a large number of mergers and acquisitions, and expects this trend to continue over the next three years. However, through consultations with members of the regulated community, EPA has decreased its estimate of the amount of time respondents are spending on Part A revisions, largely because the revisions are related to relatively simple updates of ownership information.

Taken together, the decrease in the number of new Part A Permit Applications and the decrease in the amount of time spent on Part A revisions has more than offset the increase in the number of revised Part A Permit Applications. As such, EPA estimates in this ICR that the overall annual respondent burden associated with both new and revised Part A Permit Applications will decrease from 1,368 hours in the previous ICR to 945 hours in the ICR. This is a decrease of approximately 423 hours or 31 percent.

6(f) BURDEN STATEMENT

The reporting burden for information collection requirements associated with the Part A permit application requirements is estimated to be approximately 27 hours. The burden estimate includes time for reading the regulations and preparing and submitting Part A Permit Applications. There are no recordkeeping requirements associated with new Part A Permit Applications, and as such, there is no recordkeeping burden.

The reporting burden for information collection requirements associated with revising Part A Permit Applications is estimated to be approximately 14 hours. The burden estimate includes time for reading the regulations, preparing and submitting revised Part A Permit Applications, preparing and submitting justifications for changes, and preparing and submitting Subpart H compliance demonstrations. There are no recordkeeping requirements associated with revising Part A Permit Applications, and as such, there is no recordkeeping burden.

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. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments regarding this burden statement or any other aspect of this collection, including suggestions for reducing the burden, to Director, Regulatory Information Division, 2136, U.S. Environmental Protection Agency, 401 M St., S.W., Washington, D.C., 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C., 20503.