

US EPA ARCHIVE DOCUMENT

## Information Collection Request Supporting Statement - Part A

### **1. Identification of the Information Collection**

1(a) **Title:** Resource Conservation and Recovery Act (RCRA) Corrective Action Information Request

#### **1(b) Short Characterization/Abstract**

The Office of Solid Waste will be collecting information in response to an April 15, 1999 request from Congress concerning the RCRA Corrective Action program. Included in this inquiry were certain questions which only the state offices have the information to answer. EPA intends to obtain this information from the states by means of a questionnaire. The questionnaire includes facility specific questions on all of the 1,712 RCRA Cleanup Baseline facilities, enforcement orders, state authority, and federal funding. Responses to this request will be mandatory and all information will be used to respond to Congress and to provide an accurate picture of the current state of the program.

### **2. Need For and Use of the Collection**

#### **2(a) Need/Authority for the Collection**

On April 15, 1999, Congressman Dingell contacted Administrator Browner. Citing a GAO report on the RCRA corrective action program, Congressman Dingell would like to get more information on how the program is run, corrective action resources, and specific information on the high priority corrective action facilities which are currently getting the highest priority of the program. Much of the information needed is only held by the states. All of the information that EPA can provide has already been sent to Congressman Dingell's office.

#### **2(b) Practical Utility/Users of the Data**

EPA will use all information received from this request to respond to Congress' inquiry. EPA will also use the information received to monitor the progress of cleanup activities taking place at all RCRA Corrective Action High Priority Baseline Facilities.

### **3. Nonduplication, Consultations, and Other Collection Criteria**

#### **3(a) Nonduplication**

All information requested from respondents under this ICR can be broken into 3 categories: i) RCRA Cleanup Baseline facilities, ii) enforcement orders and) state authority, and iii) federal funding for states.

i) RCRA Cleanup Baseline facilities - this baseline was finalized in June, 1999. Since then, there

has been no attempt by the Agency to get facility specific information from state project managers on these sites. The only information EPA has on these sites is what is found in the RCRIS database. The data in RCRIS does not include any of the information requested in this collection.

ii) Enforcement Orders and State Authority - EPA has no access to references or databases that contain information on state enforcement orders that are similar to EPA orders that have been issued. Similarly, EPA does not have any descriptions on the types of authorities (3013-like, 3008(h) - like, and 703-like) that each state has.

iii) Federal Funding for States - Integrated Financial Management System( IFMS) is the official accounting system for the Agency. The system provides data at the spending level by program results code (PRC) formerly, program element (PE) and major program ( Hazardous Waste Financial Assistance Grants), and a 4-character object class which defines the type of spending. IFMS captures what the state has collected from EPA in payments, but does not actually report on State spending.

**3(b) Public Notice Required Prior to ICR Submission to OMB**

In compliance with the 1995 PRA, any agency developing a non-rule related ICR must solicit public comments for a 60-day period prior to submitting the ICR to OMB. The announcement of a public comment period for an initial or renewal ICR must be made in the Federal Register. The 60-day comment period was initiated on Dec. 16, the date the FR Notice was published.

**3(c) Consultations**

The following respondents have been consulted concerning this ICR:

- |       |                |  |                      |
|-------|----------------|--|----------------------|
| i)    | Allen Moore    | Utah Department of Environmental Quality     | (801) 538-6170       |
| ii)   | Bill Mundy     | Georgia Dept. of Natural Resources           | (404) 656-7802       |
| iii)  | Brett McKnight | Oregon Dept. of Environmental Quality        | (541) 388-6146 x 236 |
| iv)   | John Reagan    | New Hampshire Dept. of Environmental Svcs.   | (603 ) 271-3744      |
| v)    | Ata Rahman     | TX Natural Resources Conservation Commiss    | (512) 239-2276       |
| vi)   | Mike Sickels   | Indiana Dept. of Environmental Mgt.          | (317) 232-3406       |
| vii)  | Duke Taylor    | Dept. of Health & Environmental Control      | (803) 896-4163       |
| viii) | Pete Doorn     | NC Dept of Environment and Natural Resources | (919) 733-2178 x218  |
| ix)   | James Bearzi   | NM Environment Department                    | (512) 827-1567       |
| x)    | Barb Simcoe    | ASTSWMO                                      | (202) 624-5828       |

**3(d) Effects of Less Frequent Collection**

This collection is one time only - it will not have periodic reporting or record keeping.

**3(e) General Guidelines**

This collection does not violate any OMB guidelines.

*OMB guidelines:*

Justify any provision under which respondents would:

- Report information to the Agency more often than quarterly;
- Prepare a written response to a collection of information in fewer than 30 days after receipt of a request;
- Submit more than an original and two copies of any document;
- Retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- Participate in a statistical survey that is not designed to produce data that can be generalized to the universe of the study;
- Utilize a statistical data classification that has not been reviewed and approved by OMB;
- Receive a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- Submit proprietary, trade secret, or other confidential information unless the Agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

### **3(f) Confidentiality**

All collected information will be stored on EPA staff PCs. Other than EPA staff, only Congress will be viewing this information. All hardcopies will be stored on EPA premises and no contractors are involved in any aspect of this collection.

### **3(g) Sensitive Questions**

There are no sensitive questions asked in this questionnaire.

## **4. The Respondents and the Information Requested**

### **4(a) Respondents/SIC Codes**

All respondents to this ICR will be state government employees. Specifically, they will be state

environmental agency employees in states authorized for RCRA Corrective Action who are project managers for specific facilities.

SIC: 9511

SIC Description: Air and Water Resource and Solid Waste Management

NAICS: 92411

NAICS Description: Administration of Air and Water Resource Solid Waste Management Programs

The following state governments will be respondents:

- i) Alabama
- ii) Arkansas
- iii) Arizona
- iv) California
- v) Colorado
- vi) Georgia
- vii) Hawaii
- viii) Idaho
- ix) Illinois
- x) Indiana
- xi) Kentucky
- xii) Louisiana
- xiii) Maine
- xiv) Michigan
- xv) Minnesota
- xvi) Missouri
- xvii) North Carolina
- xviii) North Dakota
- xix) New Hampshire
- xx) New Mexico
- xxi) Nevada
- xxii) New York
- xxiii) Ohio
- xxiv) Oklahoma
- xxv) Oregon
- xxvi) South Carolina
- xxvii) South Dakota
- xxviii) Texas
- xxix) Utah
- xxx) Vermont
- xxxi) Washington
- xxxii) Wisconsin
- xxxiii) Wyoming

#### 4(b) **Information Requested**

##### i) Data items, including record keeping requirements

All record items are reporting items - records will not need to be retained by respondents. The respondents will need to complete a questionnaire that is broken into three sections and return it to EPA. One or more respondents will need to respond to each section. The three sections are 1) Facility Specific questions, 2) Enforcement Order/State Authority, 3) Federal Funding for States. Questionnaire is attached.

##### ii) Respondent Activities

Project managers in states authorized for RCRA Corrective Action will receive the questionnaire electronically. It may take more than one person to answer all sections of the questionnaire, so the initial recipient may need to distribute parts of the questionnaire to others who may be more able to answer the questions. The respondents will need to review the instructions and search data sources in order to complete the questionnaire. The questions that are being asked should be easily answered by the respondents. The respondents will then need to transmit the completed questionnaire back to EPA by fax or e-mail.

### **5. The Information Collected – Agency Activities, Collection Methodology, and Information Management**

#### 5(a) **Agency Activities**

Agency activities associated with completing the RCRA Corrective Action Information Request consist of the following:

- Develop questionnaire;
- Distribute questionnaire to the respondents;
- Answer any questions the respondents may have;
- Collect, record and organize data submissions;
- Distribute the data to Congress.

#### 5(b) **Collection Methodology and Management**

In collecting and analyzing the information associated with this ICR, EPA will use telephones and personal computers. EPA will ensure the accuracy and completeness of collected information by reviewing each submittal. EPA will construct two tables in order to organize the collected information. The first table will contain all high priority facility information. The second table will contain all enforcement, state authority, and federal funding information broken out by states authorized for RCRA corrective action.

Electronic submission of the response will be permitted and is encouraged. The questionnaire

will be sent out electronically and, in order to make submission easier on the part of the respondents, we are encouraging the responses to be sent electronically. If, for some reason, this is not easy for the respondent, the completed questionnaire can be faxed.

#### **5(c) Small Entity Flexibility**

No small entities are required to respond to this collection request.

#### **5(d) Collection Schedule**

The following dates reflect the intended dates associated with this information collection. These dates are only estimates.

Questionnaire sent out to the states: May 15, 2000

Due date: June 23, 2000

### **6. Estimating the Burden and Cost of the Collection**

#### **6 (a), (b) Annual Respondent Burden and Cost**

EPA estimates an average annual respondent hourly cost of \$35 for managerial staff and \$29 for technical staff. There shouldn't be any clerical staff involved in responding. The questionnaire was sent out to nine possible respondents where they were required to complete it and indicate the time it took to complete as well as their hourly salary. The derivation of the hourly costs shown in Table 1 came directly from this sample of respondents that represent those which will likely be affected by this ICR.

See Table 1 - Annual Respondent Burden and Cost

There is no equipment, machinery and/or construction necessary for this information request, therefore there are no capital and/or operations and maintenance costs associated with this ICR for the respondents or the Agency.

#### **6 (c) Estimating Agency Burden and Cost**

Based on the 1999 GSA pay schedule, EPA estimates an average hourly HQ labor cost of \$65.00 for managerial staff and \$31.00 for technical staff. 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 benefits multiplication factor of 1.6.

See Table 2 for Agency burden.

#### **6 (d) Estimating the Respondent Universe and Total Burden and Costs**

Estimating the respondent universe: There are a total of 32 states that are authorized for RCRA corrective action. There are 1,032 Corrective Action Baseline facilities in these 32 states. Section 1 of the questionnaire will need to be filled out by the 1,032 project managers that oversee these sites (in many cases, the same project manager will have more than one site that is on the baseline). The other sections (2 and 3) only need to be filled out once for each authorized state.

## **Burden Statement**

The respondent burden is estimated to average 7 hours per respondent per year for the 1,096 respondents expected to reply to this request. This estimate includes transferring portions of the questionnaire to the responsible individuals, completing the questionnaire by searching files and databases, and sending it back to EPA.

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 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 Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB control number in any correspondence.