

US EPA ARCHIVE DOCUMENT

Regulatory Impact Analysis (RIA) of the Supplemental Proposed Rule Applying Phase IV Land Disposal Restrictions to Newly Identified Mineral Processing wastes.

I. EXECUTIVE SUMMARY

This Regulatory Impact Analysis (RIA) estimates the costs, economic impacts, and benefits of the supplemental rule addressing newly identified hazardous mineral processing wastes. The supplemental rule expands upon the proposed Phase IV Land Disposal Restriction (LDR) rule published on 22 August 1995 (60 FR 43654).

In the supplemental proposed rule, EPA is proposing standards for mineral processing wastes no longer exempt from Subtitle C requirements under the Bevill exemption. Under the provisions of today's proposal, previously exempt Bevill mineral processing wastes must meet RCRA Universal Treatment Standards (UTS) before management or disposal in a land-based unit. At the same time, however, operators may reclaim hazardous mineral processing residues and store them in land-based units prior to reclamation without complying with Subtitle C requirements under certain specified conditions. EPA expects to promulgate a unified final Phase IV rule addressing both the Phase IV LDR wastes and the mineral processing wastes covered by today's proposal by mid-1996.

In accordance with the requirements of Executive Order No. 12866, EPA must develop and submit to the Office of Management and Budget (OMB) an RIA for any significant regulatory action. The purpose of this document is to present the industry sectors and wastes that will be affected by imposing Phase IV LDR treatment standards (and, as described in Chapter 2, some new waste management requirements), estimate the costs associated with treating those wastes to comply with LDR standards, assess at a preliminary level the economic impacts of these costs, and evaluate the human health and ecological benefits attributable to reductions in pollutant discharges required by the rule.¹

¹ Under EPA's revised guidelines for implementing the Regulatory Flexibility Act, the Agency also evaluates separately potential economic impacts of regulation on small entities. With respect to the Land Disposal Restrictions program, however, EPA has determined that legal avenues do not exist to provide regulatory relief to small entities. Therefore, we have not conducted a regulatory flexibility analysis for this rule. This issue is discussed further in Chapter 6 of this document.