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Memorandum

To: Heads of Bureaus and Offices

From: Willie R. Taylor *Willie R. Taylor*
Director, Office of Environmental Policy and Compliance

Subject: Transmittal of Solid Waste and Hazardous Materials
Management Compliance Handbook

(ER 95/537)

The Office of Environmental Policy and Compliance (PEP) is transmitting to bureaus and offices the attached document entitled, "Solid Waste and Hazardous Materials Management Compliance Handbook." A draft of the Handbook was previously transmitted to bureaus and offices for comment. Those comments were received and incorporated where appropriate.

The Handbook is meant to be used as a general resource for personnel who do not have an in-depth understanding of compliance requirements. It provides a general overview of pertinent solid and hazardous waste statutes, regulations, and Departmental policies that may apply to operations and activities associated with hazardous materials management.

The Handbook is also available on the PEP computer bulletin board under the Hazardous Materials Management conference file SWM-HMM.HBK. The PEP computer bulletin board may be accessed via modem by dialing (202) 208-7119.

If you have any questions, please contact Jim Ortiz, Division of Hazardous Materials Management, at (202) 208-7553.

Attachment

Solid Waste and Hazardous Materials Management Compliance Handbook



**U.S. Department of the Interior
Office of Environmental Policy and Compliance**

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INTRODUCTION

What This Handbook Is All About

The purpose of this Handbook is to provide Department of the Interior (DOI) personnel with a general overview of pertinent solid and hazardous waste statutes, regulations, executive orders, and DOI policies that may apply to operations and activities associated with hazardous materials management.

This Handbook is a general resource for personnel who do not have an in depth understanding of compliance requirements. For each federal statute, the Handbook provides examples of operations or activities which could be affected by the law, the citation for the statute and the implementing regulations, the administering agency(ies), a general description of the law, major statutory and regulatory provisions, and enforcement information. A general summary is also provided for Executive Orders and DOI policies which affect solid waste and hazardous materials management.

NOTE:

The handbook is not meant to be a comprehensive document covering all environmental statutes and regulations. It is not a substitute for Federal, state, and local environmental requirements. Facility managers and personnel are urged to contact EPA, state, local regulatory agencies for any additional requirements. Also, information about environmental requirements is available from the Federal Register, regulatory "hotlines," information clearinghouses, and DOI/bureau environmental compliance offices, and the DOI Office of the Solicitor. Lists of the EPA hotlines and clearinghouses are provided at the end of the Handbook.

Federal Facilities

For the purposes of this Handbook, Federal facilities are defined as facilities, installations, lands, and resources that are under the jurisdiction of that Federal agency and/or operated by any by its component organization. Federal facilities also may include government-owned contractor-operated (GOCO) facilities. Since the Environmental Protection Agency (EPA) has delegated much of its environmental regulatory authority to the states and their requirements may vary, DOI facility managers are strongly urged to check with state and local environmental authorities about the applicable requirements that govern operations within that state.

What is Environmental Compliance?

Environmental compliance is the act of fulfilling the official requirements established by Federal, state, and local environmental agencies. Regulatory agencies, such as the

EPA or a state environmental agency, develop, publish, and enforce rules and regulations under the authority of laws enacted by Congress and state legislatures. It is the responsibility of each Federal facility manager to determine which of the environmental rules or regulations are applicable. The facility then must establish practices and procedures to ensure that all appropriate operations and actions comply with the rules and regulations.

Compliance determinations are usually made by regulatory agencies through compliance inspections. However, many environmental regulations are designed to be "self implementing." These regulations require facility monitoring and record-keeping and notification to the appropriate regulatory agency(ies) when non-compliance occurs.

In the long run, maintaining compliance will assist in reducing facility operation costs and reduce an agency's financial liability. Civil and/or criminal penalties may result when facilities violate environmental regulations. Penalties can involve large sums of money, imprisonment of facility personnel and management, or both. In recent years, record fines on violators of environmental regulations have been levied. Further, Federal employees may be prosecuted for environmental mismanagement and negligence.

In many noncompliance cases, EPA also has explored the use of consent decrees and settlement agreements with alleged violators as a way of ensuring that a facility attains compliance with environmental statutes. This approach often involves the mitigation of assessed civil penalties in return for the implementation of technical process improvements, environmental compliance audits, and/or employee training programs aimed at eliminating the cause of the violation.

In-house conducted management control reviews and environmental audits can also be a useful management tool to identify program deficiencies and areas of regulatory noncompliance, set corrective actions, and develop and plan short and long-term program and funding needs.

Law: CLEAN AIR ACT (CAA)

Citation: 42 U.S.C. § 7401-7671q

Regulation: 40 CFR 50-88

Administering

Agency: U.S. Environmental Protection Agency

General Description: The Clean Air Act (CAA) was enacted to control, reduce, and eliminate air pollution from stationary and mobile (i.e., motor vehicle, aircraft, fuels) sources. Under the authority of the CAA, EPA regulates two basic groups of pollutants: criteria pollutants and hazardous air pollutants. Criteria pollutants' emissions are controlled through state implementation plans (SIPs) and state permit programs. Such plans and permits specify emission levels necessary to meet national ambient air quality standards (NAAQS). With regard to hazardous air pollutants, EPA sets national emissions standards for hazardous air pollutants (NESHAP) for different sources or types of operations. These standards are implemented through permits applicable to major sources of these pollutants. The CAA imposes more stringent requirements on new sources of air pollution or sources located in areas that are not attaining the NAAQs (i.e., non-attainment areas).

The Clean Air Act Amendments of 1990 substantially revised the existing statutory provisions and added new titles. Provisions addressing SIPs, motor vehicle emissions, and fuel standards have been amended. The 1990 Amendments also completely overhauled the NESHAP and Federal enforcement programs, added new schemes for attaining ozone air quality standards and addressing stratospheric ozone problems, and added a totally new program for addressing acid rain damage.

Major Statutory and Regulatory Provisions:

- Establishes national primary and secondary NAAQS for criteria pollutants (carbon monoxide, particulate matter, sulfur dioxide, nitrogen dioxide, ozone and lead) (42 U.S.C. § 7409; 40 CFR 50)
- Provides for approval and promulgation of SIPs, and state plans for designated facilities and pollutants. Federal facilities must comply with SIPs. (42 U.S.C. § 7410; 40 CFR 51-52, 62)
- Establishes national emissions standards for hazardous air pollutants (NESHAPS) (asbestos, beryllium, mercury, vinyl chloride, benzene, inorganic arsenic, radionuclides, and coke oven emissions) (42 U.S.C. § 7412; 40 CFR 61)
- Establishes ambient air monitoring requirements (42 U.S.C. § 7619, 7661c; 40 CFR 53)

- Federal facilities are subject to and must comply with the requirements of all Federal, state, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of air pollution in the same manner, and to the same extent as any nongovernmental entity. (42 U.S.C. 7418)
- Establishes that required emission limitations do not vary with stack heights or other dispersion techniques (42 U.S.C. § 7423; 40 CFR 51)
- Provides for the Prevention of Significant Deterioration (PSD) of air quality (42 U.S.C. Sec. 7470; 40 CFR 51-52)
- Requires management of non-attainment areas and requires states to develop permitting programs for all significant air emissions sources (42 U.S.C. 7501, 7661; 40 CFR 52, 81)
- Prescribes emissions standards for moving sources (42 U.S.C. § 7521; 40 CFR 85, 87)
- Establishes regulatory scheme for assessment and collection of noncompliance penalties by EPA, and provides procedures for states to administer the noncompliance penalty program (42 U.S.C. § 7420; 40 CFR 66-67)
- Sets out performance standards for new stationary sources of air pollution (42 U.S.C. § 7411; 40 CFR 60)
- Provides for regulations that limit production and consumption of certain ozone-depleting chemicals (42 U.S.C. § 7671 et. seq.; 40 CFR 82)
- Establishes regulations for the Acid Rain program that address general provisions and permits, allowance system and continuous emission monitoring, excess emissions, and administrative appeals (42 U.S.C. § 7651-7651(o); 58 FR 3590 (1993)(to be codified at 40 CFR 72-73, 75, 77-78)

Enforcement: Section 7413 of the CAA's statutory provisions addresses general Federal enforcement procedures. EPA, upon finding a violation of a SIP or a permit, has the authority to issue a compliance order, issue an administrative order assessing civil penalties, or bring a civil action for a temporary or permanent injunction against the violator. For violations of other statutory provisions, EPA can issue compliance orders, assess administrative penalties or bring a civil action for penalties or an injunction, as stated above, or the Agency can request the Attorney General to commence criminal proceedings against the violator. Criminal actions may be based on knowing or negligent violations of specified CAA requirements. Section 7420 gives the EPA Administrator or an approved state the power to assess and collect noncompliance penalties for violations of emission limitations, emission standards,

standards of performance, compliance schedules, and certain other statutory requirements. Citizens also have the power to bring civil actions for violations of certain provisions under § 7604, and can ask the court to enforce emission standards.

Applies to or Affects: Incinerators; asbestos abatement; use of freon or other ozone depleting substances, operations using volatile organic solvents; operations using a ventilation stack, and issuance of permits, licenses, etc., for the use of natural resources administered by the Department.

Law: COMMUNITY ENVIRONMENTAL RESPONSE FACILITATION
ACT (amending CERCLA, 42 U.S.C. § 9620(h))

Statute: 42 U.S.C. § 9620(h)(4), (5)

Regulations: 40 CFR 300 Subpart K (Reserved); 40 CFR 373

Administering

Agency: U.S. Environmental Protection Agency

General Description: The Community Environmental Response Facilitation Act (CERFA) was passed by Congress in 1992, and amended Section 9620(h) of CERCLA, which addresses Federal real property transfers. In enacting the legislation Congress stated that the closure of Federal facilities has an adverse impact on local economies and that delays in remediating contaminated real property add to this burden by delaying the conversion of such property to productive uses. The statute applies to real property owned by the Department of Defense and on which the U.S. plans to terminate Federal government operations, as well as to real property that has been used as a military installation and which is being closed or realigned pursuant to base closure. Federal entities with control over such properties must identify those upon which no hazardous substances or petroleum products/derivatives were stored for more than one year, released, or disposed of by examining relevant sources of data such as property deeds, aerial photographs, or other similar documents. Subsequent transfers or sales of the identified properties by the limited states must contain assurances that the U.S. will assume full responsibility for any response or corrective action that may become necessary after the transfer of property is completed. Where hazardous substances or petroleum products/derivatives were stored for more than one year, released, or disposed of on the U.S.-owned real property, the Federal entity with control of the property must notify the state of any lease entered into by the controlling Federal entity that will remain in effect after operations cease. The notification must be sent to the state prior to the signing of the lease, and must inform the state of the name of the lessee, and a description of the uses permitted under the condition of the lease.

Major Statutory and Regulatory Provisions:

- Requires that Federal entities controlling real property on which the U.S. government plans to terminate operations or that has served as a military installation and is being closed or realigned under Federal base closure law, identify the property on which no hazardous waste or petroleum products/derivatives were stored one year or more, released, or disposed through title searches, examination of such documents as aerial photographs, and visual inspections (42 U.S.C. § 120(h)(4)(a),(b); 40 CFR 300, Subpart K (Reserved))

- Requires that for sales, transfers, or other conveyances of property identified under 42 U.S.C. § 9620(h), the deed must contain a written assurance that the U.S. will assume responsibility for any response or corrective action that is required after the Federal activities are terminated, and a statement that gives the U.S. permission to enter the property to carry out any response or corrective action (42 U.S.C. § 9620(h)(d); 40 CFR 300, Subpart K (Reserved))
- Requires that Federal entities controlling real property on which the U.S. government plans to terminate operations or that has served as a military installation and is being closed or realigned under Federal base closure law, and upon which any hazardous waste or petroleum product/derivative has been stored for 1 year or longer, released, or disposed, notify the state in which the real property is located about any lease, sale, or conveyance that will continue to involve the real property after the termination of the Federal activities before the transaction is finalized and should identify the lessee/permittee/purchaser and contain a list of the uses that will be allowed under the lease (42 U.S.C. § 9620(h)(5); 40 CFR 373)

Enforcement: See discussion under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Applies to or Affects: Transferring property out of DOI jurisdiction and accepting formerly used Department of Defense sites.

Law: COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT (CERCLA/Superfund)

Statute: 42 U.S.C. § 9601-9675

Regulations: 40 CFR 300-310; 43 CFR 11

Administering

Agencies: U.S. Environmental Protection Agency; U.S. Department of the
Interior

General Description: CERCLA provides enforcement authority for Federal and state clean-up programs at thousands of sites throughout the United States that are contaminated with hazardous substances. CERCLA was reauthorized and substantially amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA)- which emphasized that CERCLA applied to federal agencies. These amendments established new cleanup standards, settlement and enforcement provisions, and a larger cleanup fund to provide EPA with additional tools and leverage to accomplish CERCLA's statutory agenda. CERCLA works in conjunction with the Resource Conservation and Recovery Act (RCRA), but has a much broader scope in its application. RCRA addresses activities related to solid and hazardous waste generation or management. CERCLA establishes a comprehensive response program for remediating past releases and contamination of sites by hazardous substances, which include RCRA hazardous wastes, as listed in the regulations. The Department of Interior has the responsibility for promulgating natural resources damages assessment regulations used as part of a CERCLA remediation action and has Federal trusteeship for natural resources damages.

Major Statutory and Regulatory Provisions:

- Federal facilities are subject to CERCLA requirements (42 U.S.C. § 9620)
- Establishes notification requirements for releases of hazardous substances in reportable quantities (RQs) (42 U.S.C. § 9602-3; 40 CFR 302)
- Establishes National Contingency Plan (NCP) addressing removal action programs, remedial action programs, and designates natural resource trustees and their responsibilities. The NCP establishes the process which governs federal, state and private responses to discharges of oil and releases into the environment of hazardous substances and pollutants (42 U.S.C. § 9605; 40 CFR 300)
- Creates a Hazardous Substance Response Trust Fund (Superfund) to pay for emergency removal actions, and long-term remediations at abandoned sites where liable parties cannot be identified. The Superfund cannot be used to clean up sites on Federal lands (with limited exception for emergencies). (42 U.S.C. § 9611-12; 40 CFR 304)

- Requires maintenance of a National Priorities List (NPL) of priority hazardous substances release sites targeted for remedial action (42 U.S.C. § 9605; 40 CFR 300, Appendix B)
- Establishes categories of potentially responsible parties and sets forth liability for response cost and natural resources damages (42 U.S.C. § 9607; 40 CFR 300)
- Sets forth cleanup standards (42 U.S.C. § 9621; 40 CFR 300, Subpart K (Reserved))
- Gives the Department of the Interior responsibility for promulgating resource damage assessment regulations (42 U.S.C. § 9605, 9607, 9651; 43 CFR 11)
- Establishes EPA's and other fed agencies response authorities (42 U.S.C. § 9604, 9606; 40 CFR 300)
- Establishes hazard ranking system (HRS) (42 U.S.C. § 9605; 40 CFR 300, Appendix A)
- Establishes requirements concerning reporting hazardous substance activity when selling or transferring Federally-owned real property (42 U.S.C. § 9620; 40 CFR 373)
- Establishes statutory requirements for investigating and initiating site work (42 U.S.C. 9620; 40 CFR 300)

Enforcement: The statute establishes several different types of enforcement authorities. CERCLA gives EPA the authority to impose criminal penalties against any person who knowingly fails to notify the EPA Administrator about a facility that managed, treated, disposed, stored or transported hazardous substances. CERCLA also gives EPA the authority to impose civil penalties for the violation of certain statutory provisions.

Applies to or Affects: Lands currently and formerly managed by the Department.

Law: SECTION 120 OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT: Federal Facilities (CERCLA Sec. 120)

Statute: 42 U.S.C. § 9620

Regulations: 40 CFR 300-310; 43 CFR 11

Administering

Agencies: U.S. Environmental Protection Agency; U.S. Department of the Interior

General Description: CERCLA Section 120 subjects Federal facilities to the provisions of CERCLA and imposes an additional set of regulations related to siting studies and to notices for the sale and other transfers of Federal real property. Specifically, this Section makes all CERCLA guidelines, rules, regulations, and criteria applicable to Federally-owned or operated facilities, including: (1) preliminary assessments for facilities at which hazardous substances are located; (2) possible inclusion of such facilities on the National Priorities List (NPL); and (3) remedial actions at these sites. Federal facilities are not required to comply with CERCLA provisions regarding financial responsibility and removal/remediation contracts with State governments. Federal facilities that are not on the NPL still may be subject to State laws concerning removal and remediation actions. However, these State laws and regulations may not impose provisions that are more stringent than those applicable to non-Federal facilities.

Major Statutory and Regulatory Provisions:

- Requires EPA to establish a Federal Agency Hazardous Waste Compliance Docket containing an inventory of Federal hazardous waste facilities as required by RCRA § 3016 (42 U.S.C. § 9620; 40 CFR 300, Subpart K (Reserved))
- Requires that a preliminary assessment, consisting of a review of existing facility hazardous substance management information, be conducted for each Federal facility listed in the Federal Agency Hazardous Waste Compliance Docket to determine if a release may require further investigation or action (42 U.S.C. § 9620; 40 CFR 300)
- Requires any Federal facility on the NPL to initiate a Remedial Investigation/Feasibility Study (RI/FS) within 6 months of inclusion on the NPL, and, if appropriate, commence and complete a remedial action as expeditiously as possible (42 U.S.C. § 9620; 40 CFR 300)

- Requires Federal facilities undertaking remedial actions to submit an annual Report to Congress containing information concerning public comments, status of RI/FS process and any remedial actions, and progress of remedial actions undertaken at Federal facilities not on the NPL (42 U.S.C § 9620; 40 CFR 300)
- Establishes notice and inventory requirements concerning hazardous substance storage, treatment, or disposal activities (1 year duration) when selling or otherwise transferring Federally-owned real property (42 U.S.C. § 9620; 40 CFR 373)

Enforcement: See previous discussion for CERCLA/Superfund.

Applies to or Affects: Assessment, investigation, and cleanup of contaminated sites where there is no readily identified responsible party or where the contamination is not related to an active DOI operation.

Law: **EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (Title III of Superfund Amendments and Reauthorization Act, PL 99-499)**

Statute: 42 U.S.C. § 11001-11050

Regulations: 40 CFR 350-372

Administering

Agency: U.S. Environmental Protection Agency

General Description: The Emergency Planning and Community Right-to-Know Act (EPCRA) was enacted as part of the Superfund Amendments and Reauthorization Act of 1986 (SARA), but it is considered to be a wholly separate act from CERCLA. Initially, Federal facilities were exempt from the requirements of EPCRA. However, Executive Order 12856 (Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements) expanded the coverage of EPCRA to include Federal facilities meeting threshold requirements. EPCRA now requires Federal facilities to prepare plans for effectively responding to emergency or crisis situations involving hazardous materials. The community right-to-know provisions of EPCRA created new rights for local governments and the public to gather data concerning potential threats posed by hazardous substances in their community as a result of governmental activities.

Major Statutory and Regulatory Provisions:

- Covered Federal facilities which meet one or more of the threshold reporting requirements of EPCRA (Section 1-102 of Executive Order 12856).
 - EPCRA Section 302: Presence of Extremely Hazardous Substances (EHS) at or above Threshold Planning Quantity (TPQ). (40 CFR 355.20)
 - EPCRA Section 304: Release of an EHS or hazardous substance at or above a reportable quantity if the facility is one at which a hazardous chemical, as defined by the Occupational Safety and Health Administration (OSHA), is produced, used, or stored (40 CFR 302.4 and Part 355).
 - EPCRA Sections 311-312: Hazardous chemicals at or above 10,000 pounds and EHS at or above 500 pounds or TPQ, whichever is less (40 CFR, 370.21, 370.40).
 - EPCRA Section 313: 25,000 pounds per year manufacturing or processing, or 10,000 pounds per year otherwise using one or more listed toxic chemicals (40 CFR 372.25). As directed by Section 3-304(b) of Executive Order 313 regardless of Standard Industrial Classification (SIC) code.

- Requires covered Federal facilities to provide emergency notification to the local community coordinator for the local emergency planning committee in the case of a release of a reportable quantity of an extremely hazardous substance (notification is also required under § 103 of CERCLA) provided the release is not a Federally permitted release or a continuous release as defined under § 302.8(b). (42 U.S.C. § 11004; 40 CFR 355)
- Requires covered Federal facilities to prepare material safety data sheets (MSDSs) as part of OSHA compliance and to submit these MSDSs to the local emergency planning committee, state emergency response commission, and the local fire department. Alternately, facilities can submit a list of the chemicals covered by the MSDSs to the same entities, giving the common chemical name, and the hazardous component(s) in each chemical. (42 U.S.C. § 11021; 40 CFR 370, Subparts B and C)
- Requires covered Federal facilities that maintain MSDSs to prepare and submit an emergency and hazardous chemical inventory form to the local emergency planning committee, state emergency response commission, and the local fire department. (42 U.S.C. § 11022; 40 CFR 370, Subparts B and C)
- Requires a covered Federal facility to complete a toxic chemical release form for each toxic chemical listed in the Toxic Chemical Inventory document that was manufactured, processed, or otherwise used in amounts that exceed the threshold quantities established for the toxic chemical. (42 U.S.C. § 11023; 40 CFR 372)
- Requires that emergency response plans, MSDSs, inventory forms, and toxic chemical release forms be made available to the public at locations set up by the EPA Administrator, Governor, state emergency response commission or local emergency planning committee. (42 U.S.C. § 11044; 40 CFR 350, 355, 370)

Enforcement: The EPA Administrator has authority to issue compliance orders to a Federal facility which does not comply with the emergency planning requirements and to assess civil penalties in the event such orders are violated. The Administrator may assess civil or criminal penalties for violations of the emergency notification requirements and bring an action in U.S. District Court to assess and collect such penalties. Citizens are authorized to bring suit against a Federal facility for failure to comply with EPCRA's statutory or regulatory provisions, and against the EPA Administrator for failure to perform statutory or regulatory duties. State and local governments can also bring suit against a Federal facility owner/operator or the EPA Administrator for similar reasons.

Applies to or Affects: Materials storage; warehouses and wareyards; maintenance operations; construction; major releases from facility, and cleanup of CERCLA sites.

Law: **FEDERAL FACILITY COMPLIANCE ACT OF 1992**

Statute: Public Law 102-386

Administering

Agency: U.S. Environmental Protection Agency

General Description: The Federal Facility Compliance Act of 1992 amends the Resource Conservation and Recovery Act (RCRA) which was a set of amendments to the Solid Waste Disposal Act (SWDA), 42 U.S.C. § 6901-6992(k). It establishes that federal facilities do not have sovereign immunity from state enforcement of state environmental laws. The result is that all Federal agencies, having jurisdiction over a solid waste facility or disposal site, or engaged in the management of solid or hazardous waste are subject to all applicable Federal, state, and local laws, regulations, and ordinances addressing solid and hazardous waste. Thus, they are obligated to pay fines and penalties assessed by states. In addition, Federal facilities now must reimburse the EPA for yearly inspections, and states may assess service charges for permitting and inspections of Federal facilities.

Major Statutory Provisions (regulations have not been promulgated):

- The waiver of sovereign immunity applies to Federal departments and agencies having jurisdiction over any solid waste management or disposal site, or engaged in the management or disposal of solid or hazardous waste (Sec. 102 amending 42 U.S.C. § 6961)
- Amends RCRA inspection provisions by expanding facilities at which yearly inspections must be conducted at all facilities owned or operated by a U.S. department, agency, or instrumentality. Also grants authorized states the authority to conduct inspections of these same facilities as part of the state's hazardous waste program (Sec. 104 amending 42 U.S.C. § 6927(c))
- Delays the implementation of the sovereign immunity waiver for 3 years after enactment for departments, agencies, and instrumentalities of the executive branch of the Federal government with respect to criminal, civil, and administrative penalties involving the storage of mixed wastes.
- Places sewage treatment systems located and operating at Federal facilities under regulations similar to those applied to municipal sewage treatment facilities (Sec. 108 amending 42 U.S.C. § 6921)
- Authorizes EPA to bring an administrative enforcement action against any department, agency, or instrumentality of any branch of the Federal government pursuant to the enforcement authorities in the SWDA (Sec. 102 amending 42 U.S.C. § 6961)

Enforcement: Under this act, Federal facilities will be subject to applicable Federal, state, and local requirements relating to hazardous waste pollution. Under 42 U.S.C. § 6928, EPA may issue an order assessing a civil penalty or mandating compliance with statutory and regulatory provisions. EPA may also commence a civil action in U.S. District Court for appropriate relief, including temporary and permanent injunctions. The statute also imposes criminal penalties (fines and/or imprisonment) for knowing violations of RCRA. Federal employees are not liable for civil penalties, but can be held liable for criminal violations of any federal or state solid or hazardous waste law.

Applies to or Affects: Sewage treatment plants; generation, storage, and disposal of hazardous waste; operations using underground and aboveground storage tanks; and cleanup of hazardous waste contamination.

Law: FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

Statute: 7 U.S.C. § 136-136y

Regulations: 40 CFR 152-186

Administering

Agency: U.S. Environmental Protection Agency; U.S. Customs Service

General Description: FIFRA addresses the potential harm and risks associated with the use of the chemicals in pesticides, herbicides, and rodenticide. FIFRA was virtually rewritten in 1972 by the Federal Environmental Pesticide Control Act (FEPCA), (Public Law 92-516, October 21, 1972), and has since been further revised in 1975, 1978, 1980, and most recently in 1988. FIFRA requires that all pesticide products used in the U.S. must be registered with EPA prior to use. The registration provides information about the product's chemical composition, proposed labeling, and documentation of the tests and results used as a basis for claims concerning the product's uses and effectiveness. FIFRA also establishes controls over the use of these chemical products and provides for the removal of the products from the marketplace if they pose unacceptable risks to people or the environment.

Major Statutory and Regulatory Provisions:

- Establishes requirements for registration, re-registration, classification, and review of pesticides (7 U.S.C. § 136a-1; 40 CFR 152-153, 155)
- Provides for the issuance of experimental use permits allowing the applicant to accumulate information necessary to register a pesticide (7 U.S.C. § 136c; 40 CFR 172)
- Establishes procedures for the cancellation and/or suspension of pesticide registrations (7 U.S.C. § 136a, 136d; 40 CFR 152)
- Requires the registration of establishments that produce pesticides (7 U.S.C. § 136e; 40 CFR 167)
- Provides for certification of applicators involved in application of restricted use pesticides (7 U.S.C. § 136(i); 40 CFR 171)
- Establishes requirements for the import of pesticides (7 U.S.C. § 136(o); 19 CFR 12.110-117)

- Gives primary enforcement responsibility to states and sets forth conditions under which EPA shall have primary enforcement responsibilities in lieu of states (7 U.S.C. § 136w-1,2; 40 CFR 173)

Enforcement: The EPA Administrator has the statutory authority to cancel or suspend a pesticide's registration if it generally causes unreasonable adverse effects on the environment, or to address imminent hazards posed by the pesticide. EPA may also issue emergency suspension orders. Civil penalties may be assessed for violations of the statute or implementing regulations, and criminal penalties (fines and/or imprisonment) exist for knowing violations of FIFRA and for fraudulent use of product formula information. States have primary enforcement authority if the Administrator determines the state has equally stringent laws and regulations, has adopted and is implementing adequate enforcement procedures, and is in compliance with recordkeeping and reporting requirements required by EPA.

Applies to or Affects: Pesticide application and labeling of pesticide containers.

Law: **FEDERAL WATER POLLUTION CONTROL ACT (CLEAN WATER ACT)**

Statute: 33 U.S.C. § 1251-1387

Regulations: 40 CFR 15, 100-140, 220-233, 400-471, 33 CFR 320-338

Administering

Agency: U.S. Environmental Protection Agency; Army Corps of Engineers

General Description: The primary objective of the Clean Water Act (CWA) is to "restore and maintain the chemical, physical and biological integrity of the Nation's waters" (CWA § 101). This is to be accomplished by controlling the discharge of pollutants through technology-based effluent limits and effluent standards; developing pretreatment standards for discharges to publicly owned treatment works (POTW); implementing the National Pollutant Discharge Elimination System (NPDES) permitting program; developing water quality-based standards; and creating a special program to address the discharge of certain toxic substances and substances of special concern, such as oil. The Clean Water Act also creates a construction loan program for publicly owned treatment works (POTWs), addresses ocean dumping of wastes, and protects wetlands through dredge and fill regulations implemented by the Army Corps of Engineers.

Major Statutory and Regulatory Provisions:

- Controls discharges of "conventional pollutants", including biological oxygen demand (BOD), suspended solids, fecal coliform bacteria, pH, and oil and grease through the use of technology-based effluent standards based on Best Control Technology (BCT). Separate standards are established to address thermal pollution (33 U.S.C. § 1311-1312, 1314; 40 CFR 125)
- Controls discharges of priority pollutants and toxic pollutants through the use of technology-based standards based on best available technology (BAT). In addition, discharges of specified non-conventional, non-toxic pollutants are also subject to effluent limitation standards (33 U.S.C. § 1311, 1317; 40 CFR 129)
- Establishes a National Pollutant Discharge Elimination System (NPDES) requiring those facilities that discharge to waters of the U.S. to obtain a permit to discharge any regulated pollutants (33 U.S.C. § 1342; 40 CFR 122)
- Establishes water quality and management programs and procedures for the establishment of water quality standards, provides for the review and revision of

those standards, and calls for states, in their Water Quality Management Plans, to describe the regulatory and non-regulatory programs, policies, and Best Management Practices (BMPs) to control nonpoint source pollution (33 U.S.C. § 1313, 1313a, 1315, 1329; 40 CFR 130-131)

- Establishes pretreatment standards applicable to indirect dischargers and provides procedures for their implementation (33 U.S.C § 1311, 1317; 40 CFR 403)
- Prohibits oil discharges and requires development of oil Spill Prevention Control and Countermeasure (SPCC) plans (33 U.S.C. § 1321; 40 CFR 109-114)
- Establishes a grant program to assist state and local governments in building and improving publicly owned sewage treatment works (POTWs) (33 U.S.C. Subchapter II; 40 CFR 15)
- Establishes requirements for EPA approval, revision and withdrawal of authorization of state NPDES permit programs (33 U.S.C. § 1342; 40 CFR 123)
- Delineates hazardous substance designations and reportable quantities (33 U.S.C. § 1321; 40 CFR 116-117)
- Provides for Army Corps of Engineers dredge and fill 404 Permit Program (33 U.S.C. § 1344; 40 CFR 323-324)

Enforcement: The Clean Water Act addresses enforcement actions brought for violations of its provisions and implementing regulations in a variety of ways. For violations of Sections 301, 302, 306, 307, 308, 318, or 405, the Administrator may either issue a compliance order to the responsible party (ies), or bring a civil action, or notify the responsible party and the authorized state authorities of the violation. Civil actions will be brought in the appropriate U.S. Federal District Court with jurisdiction over the alleged violation, and the remedy can include a temporary or permanent injunction. If a compliance order is issued and not obeyed, the Administrator may seek civil penalties against those parties to whom the order was issued. Criminal penalties (fines and/or imprisonment) also may be assessed under the statute for negligent or knowing violations of the statutory provisions listed above, and for knowing violations that place a person in imminent danger of death or serious bodily harm. The CWA also authorizes citizens to bring civil actions against alleged violators of the statute and its regulations, or against the Administrator for failure to perform mandatory duties. This section also allows state governors to bring suit against EPA for violations of nondiscretionary duties.

Applies to or Affects: Operations discharging regulated pollutants to U.S. waters; operations discharging laboratory waste to sewers; and sewage treatment plants.

Law: **HAZARDOUS MATERIALS TRANSPORTATION ACT (HMTA)**
(as amended by the Hazardous Materials Transportation Uniform
Safety Act of 1990, PL 101-615)

Statute: 49 U.S.C. § 1801-1819

Regulations: 49 CFR § 106-180

Administering

Agency: U.S. Department of Transportation

General Description: The Hazardous Materials Transportation Act (HMTA) empowers the U.S. Department of Transportation to regulate the transportation of hazardous materials by rail, aircraft, vessel, and public highway. HMTA was amended in 1976 and 1990. These amendments substantially revised existing provisions and added new requirements. Hazardous materials are defined as those chemicals that the Department of Transportation has determined pose unreasonable risks to health, safety, and property during transport activities (see 49 CFR § 172.101). The statute and its regulations address issues such as shipping papers to identify and track hazardous materials, packaging and container design, marking, labeling, and performance standards, and employee and public training programs. The regulations also contain specific requirements relating to the type of shipment being used (i.e., rail, aircraft, vessel, and public highway).

Major Statutory and Regulatory Provisions:

- Directs the Secretary of Transportation to issue regulations addressing the designation, description, and classification of hazardous materials; packaging, labeling, and marking requirements applicable to hazardous materials; and the design, manufacturing, testing, and maintenance of packages or containers used in hazardous material transportation (49 U.S.C. § 1804; 49 CFR 171, 173-177)
- Directs each state to designate and enforce specific highway routes that may be used for hazardous materials transportation and to establish limitations and conditions on the use of those approved routes (49 U.S.C. § 1804; 49 CFR 171, 173-177)
- Requires the Secretary of Transportation to issue regulations addressing safety training for all employees involved with the handling, storing, management, and transportation of hazardous materials (49 U.S.C. 1805; 49 CFR 172, Subpart H)

- Requires the Secretary of Transportation to promulgate rules addressing emergency preparedness for responding to accidents or incidents relating to hazardous materials transportation (49 U.S.C. § 1805; 49 CFR 172, Subpart G)
- Requires all persons who offer any regulated hazardous material for transport to describe the material appropriately in the accompanying shipping papers (49 U.S.C. § 1804; 49 CFR 172, Subpart C)
- Requires that persons who offer regulated hazardous materials for transportation mark each package or container to identify the hazardous materials according to approved methods as specified in the regulations (49 U.S.C. § 1804; 49 CFR 172, Subpart D)
- Requires that persons offering hazardous materials for transportation properly label or place appropriate placards on the package or container used in the transport activity (49 U.S.C. § 1804; 49 CFR 172, Subparts E, F)
- Establishes a grant program for states to establish hazardous material training programs for the public sector (49 U.S.C. § 1815; 49 CFR 110)
- Establishes a comprehensive set of general requirements for shipments and packaging of hazardous materials, addressing the proper preparation (e.g., correct package selection and quantity limits) for transportation, classification of hazardous materials, and the specific types of containers and packages that can be used to transport materials in each classification (49 U.S.C. § 1804-1805; 49 CFR 173)
- Provides additional handling, operating, loading, and management requirements for the shipment of hazardous materials by each of the following transportation modes: rail, aircraft, vessel, and public highway (49 U.S.C. § 1804-1805; 49 CFR 174-177)
- Sets out technical design, manufacturing, and performance standards for the various packages and containers used in hazardous material transportation (49 U.S.C. § 1804-1805; 49 CFR 178)
- Provides technical design, manufacturing, and performance standards for rail cars used in hazardous materials transportation (40 U.S.C. § 1804-1805; 49 CFR 179)

Enforcement: Persons who have knowingly committed a violation of any provision of this subchapter, order, or regulation are subject to a civil penalty. If the alleged violation involves the illegal transportation/shipment of hazardous materials, the civil penalty shall be between \$250 and \$25,000 per violation. If the violation is of a

continuing nature, each day of occurrence is considered to be a separate violation. If the alleged violation involves manufacturing, fabricating, maintaining, repairing, or testing a package/or container, and the responsible party also offers the package or container for sale or otherwise certifies that the package or container is permissible to use in the transport of hazardous materials, the civil penalty shall be between \$250 and \$25,000 for each violation. Additionally, if a person knowingly tampers (removes, defaces, etc.) with any marking, label, placard or description used in hazardous materials transportation, or with any packaging, container, motor vehicle, rail car, vessel, or aircraft used for the transport activity, that person is guilty of a criminal offense. Such persons shall be fined as appropriate under the Federal Rules of Criminal Procedure, and/or be imprisoned for a maximum of 5 years. Assessed civil penalties may be recovered by an action brought by the U.S. Attorney General in the appropriate U.S. District Court.

Applies to or Affects: Handling, storage, management, and transportation of hazardous materials and labeling, packing, and shipping of hazardous materials.

Law: NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (NEPA)

Statute: 42 U.S.C § 4321-4370

Regulations: 40 CFR 1500-1517

Administering

Agency: Council on Environmental Quality

General Description: The National Environmental Policy Act (NEPA) requires Federal agencies to evaluate the potential environmental effects of major Federal actions that may significantly affect the quality of the environment. This is accomplished through either the preparation of an environmental assessment (EA) or an environmental impact statement (EIS). The EIS discusses the environmental impacts, both beneficial and adverse, of the action and various alternatives to the proposed Agency action, including a no-action alternative. NEPA and its implementing regulations ensure that accurate information is provided to public officials and citizens concerning the direct and indirect environmental impacts of a Federal program or project prior to the commencement of the proposed program or project. The regulations direct the Federal agencies to use a systematic, interdisciplinary approach to decision-making through the development of comprehensive data and information on the potential effects of the proposed Federal action at issue.

Major Statutory and Regulatory Provisions:

- Requires environmental impact statements (EIS) for all major Federal actions significantly affecting the quality of the environment (42 U.S.C. § 4332; 40 CFR 1502)
- Delineates factors to be considered in the decision to prepare an EIS (42 U.S.C. § 4332; 40 CFR 1507)
- Establishes procedures for Federal agencies' compliance with NEPA (42 U.S.C. § 4332; 40 CFR 1503)
- Establishes public comment procedures (42 U.S.C. § 4333; 40 CFR 1503)

Enforcement: NEPA takes a different approach than other environmental laws in that it does not specifically provide authority for the administering agency (currently the Council on Environmental Quality) to assess civil or criminal penalties for failure to comply with the requirements of the statute and corresponding regulations. However, NEPA can be enforced judicially through filing a lawsuit in the Federal District Court with jurisdiction over the proposed Federal agency action. Plaintiffs usually seek to delay the proposed action until the Federal agency fully complies with

NEPA, and typically ask for relief in the form of a temporary or permanent injunction. NEPA requires that any officer or employee of EPA who performs any function under NEPA and has a financial interest in a person who receives any form of financial assistance under the act file a written statement disclosing such information with the EPA Administrator. If a person meeting these criteria knowingly violates these provisions, the person can be fined or imprisoned.

Applies to or Affects: Major actions significantly impacting the human environment.

Law: **RESOURCE CONSERVATION AND RECOVERY ACT** (amending the Solid Waste Disposal Act)

Statute: 42 U.S.C. § 6901-6992k, as amended by the Federal Facility Compliance Act.

Regulations: 40 CFR 148, 240-299

Administering

Agency: U.S. Environmental Protection Agency

General Description: The Resource Conservation and Recovery Act (RCRA) was passed by Congress in 1976 and virtually replaced the Solid Waste Disposal Act (SWDA). RCRA addresses the management of solid and hazardous waste as well as underground storage tanks that contain hazardous substances or petroleum. The statutory provisions and implementing regulations of RCRA provide "cradle-to-grave" regulation and control of hazardous wastes by imposing various waste management requirements on generators, transporters, and facilities that treat, recycle, store, or dispose of these wastes. The statute requires that hazardous waste generators notify EPA of their activities and comply with a specific set of management standards and manifesting rules. Transporters are subject to regulations imposing manifesting, labeling, and handling requirements. Facilities that treat, store, or dispose of hazardous wastes (TSDFs) must comply with RCRA's permitting scheme, various performance and management standards, and provisions banning the land disposal of untreated hazardous wastes. RCRA authorizes states to take over responsibility for implementing the hazardous waste regulatory program, regulates various hazardous waste recycling activities, regulates underground storage tanks, and restricts the export of hazardous wastes. It also establishes minimum Federal criteria for municipal solid waste landfills, provides guidelines for state solid waste planning, and establishes Federal procurement guidelines. RCRA also sets forth a national policy of reducing or eliminating the generation of hazardous waste in the U.S. and ensuring that those wastes that are generated are managed to minimize their present or future danger to human health and the environment. RCRA discourages the land disposal of hazardous wastes, and promotes source reduction, recycling, and treatment technologies as the preferred alternatives.

Major Statutory and Regulatory Provisions:

- Defines hazardous and solid wastes (42 U.S.C. § 6903; 40 CFR 261)
- Establishes technical standards for generators and transporters of hazardous wastes, and both technical standards and permitting requirements for owners and operators of hazardous waste treatment, storage, and disposal facilities (42 U.S.C. § 6922-25; 40 CFR 262-265, 270)

- Provides for EPA review and authorization of state hazardous waste regulatory programs (42 U.S.C. § 6926; 40 CFR 271)
- Establishes recycled used oil management standards (42 U.S.C. § 6935; 40 CFR 279)
- Restricts export of hazardous wastes (42 U.S.C. § 6938; 40 CFR 262, Subpart E)
- Restricts the disposal of hazardous wastes by underground injection (42 U.S.C. 6924; 40 CFR 148)
- Delineates factors to be considered in developing and implementing state and regional solid waste management plans (42 U.S.C. § 6942-43, 6946-47; 40 CFR 255-257)
- Establishes requirements for Federal procuring agencies designed to promote the purchase of products containing recovered materials (42 U.S.C. § 6962; 40 CFR 247-253)
- Prohibits open dumping of solid wastes (42 U.S.C. § 6945; 40 CFR 256-257)
- Regulates underground storage tanks (USTs) containing petroleum products or hazardous substances (42 U.S.C. § 6924; 40 CFR 280)
- Prohibits the land disposal of untreated hazardous wastes, and imposes strict treatment standards for those wastes that are land disposed at approved RCRA disposal sites (42 U.S.C. § 6924; 40 CFR 268)
- Establishes Federal criteria for the design and operation of municipal solid waste landfills (MSWLFs) (42 U.S.C. § 6949(a); 40 CFR 258)

Enforcement: The EPA Administrator, under RCRA § 3008, may enforce RCRA's statutory and regulatory provisions by issuing an order that assesses a civil penalty and/or requires compliance, or the Administrator may commence a civil action in the U.S. District Court with jurisdiction over the alleged violation. People who knowingly violate various RCRA statutory and regulatory provisions, or knowingly transport, treat, store, dispose of, or export hazardous waste in such a way as to place another person in imminent danger of death or serious bodily injury, are potentially subject to criminal penalties (fines and/or imprisonment). RCRA § 7002 gives citizens the right to bring suit against any person, including the U.S., for violations of RCRA. Finally, the EPA Administrator has the authority under RCRA § 7003 to bring suit against any person if there is evidence that past or present handling,

storage, treatment, transportation or disposal of any solid or hazardous waste by that person may present an imminent and substantial endangerment to health or the environment.

Applies to or Affects: Generation, storage, treatment, transportation, and disposal of hazardous waste; cleanup at active sites; operations using underground storage tanks; recycling operations; landfills; and disposal of medical waste.

Law: OIL POLLUTION ACT

Statute: 33 U.S.C. § 2701-2761

Regulations: 33 CFR 130-137

Administering

Agencies: U.S. Environmental Protection Agency; U.S. Coast Guard

General Description: Each party responsible for a vessel or facility from which oil is discharged, or which poses a substantial threat of an oil discharge, into or on navigable waters, adjoining shorelines, or the exclusive economic zone, is liable for removal costs and damages specified under the OPA. (33 U.S.C. § 2702(a)) Section 2701(32) defines "responsible party." Section 2702(b)(1) defines "removal costs." Recoverable damages include natural resource damages (recoverable by four classes of trustees); damages to real and personal property (recoverable by the owner or lessee of the property); loss of subsistence use of natural resources (recoverable by subsistence users of the resources); loss of tax and other revenues and increased costs of public services (recoverable by federal, state, and local governments); and loss of profits or earning capacity (recoverable by any claimant). (33 U.S.C. § 2702(b)(2)) Section 2709 provides for contribution actions. OPA is designed to create a system in which private parties supply the bulk of equipment and personnel needed for oil spill response in a given area. Requirements for response plans are a primary means to create this system. The response plan requirements are intended to ensure the owner or operator has asked the hard questions of: What is the risk of an oil spill? What private sector resources are available? Where and how do I rapidly address and resolve the problems this spill has caused to the marine environment?

Major Statutory and Regulatory Provisions:

- Requires damage claims to be filed within three years after a loss is reasonably discoverable with the exercise of due care or (in the case of nature resource damage claims) within three years after completion of a natural resource damage assessment (33 U.S.C. § 2017(f))

- Oil Spill Liability Trust Fund

Requires that the Fund be used to pay federal and state government removal costs; natural resource trustees' damage assessment and restoration plan implementation costs; removal costs and natural resource damages resulting from oil discharges from foreign offshore facilities; uncompensated removal costs and damages; and federal administrative, operational, and personnel costs of implementing, administering, and enforcing the OPA (subject to specified dollar limits). All such amounts (except the federal administrative, operational, and personnel costs) must be consistent with the national contingency plan. (33 U.S.C. § 2712(a); 33 CFR

Part 133) Section 2713 (33 CFR 136) sets forth procedures for claims against the Fund.

- Financial responsibility

Section 2716 (33 CFR 130-132, 137-138) sets forth financial responsibility requirements for parties responsible for offshore facilities, deepwater ports, vessels over 300 gross tons using any place subject to U.S. jurisdiction, and vessels using the exclusive economic zone to lighter or transship oil destined for a place subject to U.S. jurisdiction.

- Removal actions

Section 4201 requires the effective and immediate removal of oil discharges, and the mitigation or prevention of substantial threats of oil discharges.

- Contingency planning, licensing, construction, and operation requirements

Title IV (amending 33 U.S.C. and 46 U.S.C.) sets forth merchant mariner licensing and vessel construction and operation requirements. Section 4202 provides for national response units, Coast Guard strike teams, Coast Guard district response groups, area committees, area contingency plans, and individual vessel and facility response plans.

Enforcement: Section 4301 sets forth administrative and civil penalties. Section 4302 (amending 46 U.S.C. § 2302) sets forth criminal penalties.

Applies to or Affects: Owner or operator of marine transportation-related onshore facilities, non-transportation-related onshore facilities, pipelines, onshore facilities, and rolling stock.

Law: OCCUPATIONAL SAFETY AND HEALTH ACT, (Section on Hazard Communication Ruling)

Statute: Section 126 of the Superfund Amendments and Reauthorization Act of 1986

Regulation: OSHA: 29 CFR 1910.120
EPA: 40 CFR 311

Administering

Agency: OSHA and EPA

General Description: Under the authority of section 126 of the Superfund Amendments and Reauthorization Act of 1986 (SARA), the U.S. Environmental Protection Agency (EPA) and the U.S. Occupational Safety and Health Administration (OSHA) promulgated *identical* health and safety standards to protect workers engaged in hazardous waste operations and emergency response. The regulations differ in that the OSHA standards apply directly to private employees and to federal employees through Executive Order 12196 but has no enforcement authority over state and local government employees. However, a state may elect to develop and implement its own occupational safety and health programs through which OSHA can require that it be extended to include state and local government employees.

EPA's authority extends to state and local government employee's conducting hazardous waste operations and emergency response in states that *do not have in effect a delegated OSHA program*. EPA's regulations also cover both compensated and uncompensated workers.

Both regulations apply to the following three primary groups of workers: 1) employees engaged in emergency response; 2) employees engaged in routine hazardous waste operations at treatment, storage, and disposal facilities (TSDFs) regulated under RCRA; and 3) employees engaged in mandatory or voluntary cleanup at uncontrolled hazardous waste sites, including corrective actions at RCRA TSDFs.

Major Statutory and Regulatory Provisions:

- Sets planning, training, and medical surveillance requirements that apply to emergency response activities that occur *without regard to location*, e.g., other than emergencies that occur at TSDFs. (29 CFR 1910.120(q))
- Sets planning, training, and medical surveillance requirements that apply to personnel involved in hazardous waste operations and emergency response activities at TSDFs. (29 CFR 1910.120(p))
- Defines emergency response (29 CFR 1910.120(a)(3))

- Worker protection standards for emergency responders at uncontrolled hazardous waste sites (29 CFR 1910.120(l)) and at RCRA TSDFs (29 CFR 1910.120(p)(8)); and employees who perform emergency response operations at any location (29 CFR 1910.120(q))
- Develop and implement emergency response plan for sites other than at TSDFs. (29 CFR 1910.120(q)(l)) Note: emergency planning requirements for a community is found in EPCRA.
- Develop and implement emergency response plan at TSDFs. (29 CFR 1910.120(p)(8)(ii))
- Five levels of emergency responders training requirements for sites other than at TSDFs: Level 1, Awareness level; Level 2, Operations level; Level 3, HAZMAT technicians; Level 4, HAZMAT specialist; and Level 5, On-scene incident commanders. (29 CFR 1910.120(q)(6))
- Training requirements for personnel at RCRA TSDFs. (29 CFR 1910.120(p)(7) and (p)(8)(iii))
- Medical surveillance requirements for employees who engage in emergency response operations. (29 CFR 1910.120 (q)(9))
- Medical surveillance requirements for employees at TSDFs. (29 CFR 1910.120(p)(3))
- Requirements for handling drums and containers. (29 CFR 1910.120(j))
- Requirements for illumination and sanitation. (29 CFR 1910.120.(m)(n))
- Requirements for informational and new technology programs, e.g., inform employees of the nature, level, and degree of exposure at the hazardous waste worksite and procedures for introducing new and innovative technologies into the work area. (29 CFR 1910.120(i)(o))

Enforcement:

Applies to or Affects: Any DOI employee who engages in emergency response operations or in voluntary and mandatory clean-ups at uncontrolled hazardous waste sites.

Note: DOI employees who work with hazardous waste in non-emergency response activities, e.g., routine maintenance, storage and handling of hazardous waste for subsequent disposal, must comply with other OSHA provisions that includes use of personal protective equipment, provision of material safety data sheet, monitoring, training, and recordkeeping requirements, etc.

Law: SAFE DRINKING WATER ACT (SDWA)

Statute: 42 U.S.C. § 300f-300j-26

Regulations: 40 CFR 141-149

Administering

Agency: U.S. Environmental Protection Agency

General Description: The Safe Drinking Water Act (SDWA), first enacted by Congress in 1974, requires EPA to set national standards for contaminant levels in drinking water and creates state programs to regulate underground injection wells and protect sole source aquifers. The SDWA was amended in 1986, requiring EPA to issue standards for 83 specific contaminants by 1989, and for additional contaminants in the future years. The amended SDWA also provided increased protection for sole source aquifers and wellhead sources, provided for the regulation of lead in drinking water, and increased EPA's enforcement authority.

Major Statutory and Regulatory Provisions:

- Delineates two levels of public water system (PWS) drinking water standards: maximum contaminant level goals (MCLGs), and national primary drinking water regulations (NPDWRs) (42 U.S.C. § 300 g-1; 40 CFR 141)
- Protects underground drinking water sources and regulates underground injection through a permit scheme (42 U.S.C. § 300h-1-7; 40 CFR 144-147)
- Establishes EPA emergency powers to prevent imminent and substantial endangerment to human health (42 U.S.C. § 300g-3; 40 CFR 142, Subparts D, J)
- Establishes programs to protect groundwater resources by states developing wellhead protection programs and by providing grants to establish critical aquifer protection areas (42 U.S.C. § 300h-6,7; 300-j-2; 40 CFR 149)
- Requires states to establish programs to assist educational agencies in testing for and remedying lead contamination of school drinking water (42 U.S.C. § 300g-6; 40 CFR 141, Subpart I)
- Bans all use of lead pipe and lead solder for water delivery systems (42 U.S.C. § 300g-6; 40 CFR 141, Subpart I)

Enforcement: The Safe Drinking Water Act (SDWA) gives the states, subject to the EPA Administrator's approval, primary enforcement authority for ensuring the safety of public water systems, and for protecting underground sources of drinking water. However, if the Administrator finds evidence of a violation of the statute or its

regulations in an approved state, the Administrator has the authority to issue a compliance order to stop the violations, or to commence a civil action in U.S. District Court to require compliance with the order or seek civil penalties. It should be noted that for violations of the underground injection control program, the Administrator has additional authority to seek criminal sanctions (fines and/or imprisonment) if the violation is found to be willful. The SDWA gives the Administrator emergency powers to act if there is evidence that a contaminant that may present an imminent and substantial endangerment to the health of persons is or may be entering a public water system or underground drinking water source. After consulting with state and local authorities, the Administrator can issue orders designed to protect the health of persons using the water system or drinking water source, or commence a civil action seeking appropriate relief (i.e., restraining orders, permanent or temporary injunctions). The EPA Administrator also has authority to seek sanctions against persons who tamper, or attempt to tamper, with public water systems (i.e., fines and/or imprisonment).

Applies to or Affects: Water treatment facilities; underground injection wells; drinking water systems and wells; and cleanup of CERCLA sites.

Law: TOXIC SUBSTANCES CONTROL ACT (TSCA)

Statute: 15 U.S.C. § 2601-2692

Regulations: 40 CFR 700-799

Administering

Agency: U.S. Environmental Protection Agency

General Description: The primary goal of the Toxic Substances Control Act (TSCA) is to control chemical hazards through the regulation of listed chemicals in commerce, including manufacture, import, processing, distribution, use, and disposal. TSCA is focused on identifying and understanding the various risks associated with the manufacture and use of chemicals before they are introduced into the environment. The scope of TSCA's provisions and authority can extend to any chemical substance determined by the Administrator to pose an unreasonable risk of injury to health or the environment. The statute provides EPA with various regulatory tools with which to accomplish these objectives. TSCA provides for the pre-manufacture review of new chemical substances prior to their introduction into the marketplace. The statute gives EPA the authority to require testing of chemicals that may present significant risks, or may result in substantial human or environmental exposure when produced in substantial quantities. TSCA imposes significant recordkeeping and reporting requirements on the regulated community to ensure EPA's access to new information concerning health risks or adverse environmental effects associated with the chemical substances. TSCA has been amended to specifically address such substances as PCBs, dioxins, asbestos, and radon contamination.

Major Statutory and Regulatory Provisions:

- EPA may impose testing requirements for chemical substances or mixtures that pose an unreasonable risk of injury to health or the environment (15 U.S.C. § 2603; 40 CFR 790)
- Requires the submittal of pre-manufacturing notices by any company intending to manufacture or import a new chemical substance (15 U.S.C. § 2604; 40 CFR 720)
- Establishes an inventory of existing listed chemical substances (15 U.S.C. § 2607; 40 CFR 710)
- Addresses the export and import of noncomplying toxic substances (15 U.S.C. § 2611; 40 CFR 707)
- Defines and subjects significant new uses of chemical substances to pre-manufacture notification requirements (15 U.S.C. § 2604; 40 CFR 721)

- Imposes chemical health and safety data reporting requirements as well as requirements that adverse reactions be recorded and reported (15 U.S.C. § 2607; 40 CFR 716-717)
- Restricts the manufacture, use, and disposal of PCBs (15 U.S.C. § 2605; 40 CFR 761)
- Establishes regulations addressing reporting on the manufacture, import, or processing of asbestos; the abatement of asbestos in schools; and prohibiting the manufacture, import, processing, and distribution of certain asbestos-containing materials (15 U.S.C. Subchapter II; 40 CFR 763)
- Establishes indoor radon abatement programs (15 U.S.C. § 2661-2671/no Federal regulations promulgated) However, DOI has a radon abatement policy (485 DM 27, July 13, 1992) that sets policy for occupational exposures to radon and requires monitoring of dwellings for exposure levels.

Enforcement: In the case of an imminently hazardous chemical substance or mixture, the Administrator may commence a civil action in U.S. District Court for seizure of the substance and/or other appropriate relief, including temporary or permanent injunctions, mandatory injunction, recall, and repurchase of the substance by the manufacturer, processor, or distributor (15 U.S.C § 2606). Substances produced in violation of this statute may be seized pursuant to authority in 15 U.S.C. § 2616. TSCA also provides for both civil and criminal penalties for violations of statutory or regulatory provisions (15 U.S.C. § 2615). Civil penalties can be assessed for negligent violations of TSCA, and willful or knowing violations can result in fines and/or imprisonment. Any person may commence a citizen suit against alleged violators or the EPA Administrator for failure to perform nondiscretionary duties under the statute or implementing regulations (15 U.S.C § 2619). Any person may petition the EPA Administrator for promulgation, repeal, or amendment of certain rules issued pursuant to the statute (15 U.S.C. § 2620).

Applies to or Affects: Operations using or disposing of equipment containing polychlorinated biphenyl (PCB) such as electrical transformers, capacitors, and light ballasts; identification and abatement of asbestos-containing materials such as heating pipe and boiler insulation, roof shingles, floor tiles; and indoor radon abatement.

FEDERAL COMPLIANCE WITH POLLUTION CONTROL STANDARDS - EXECUTIVE ORDER 12088

Citation: 3 CFR 243; 10/13/78 (as amended by E.O. 12580, 52 FR 2923 (1/29/87))

Administering

Agencies: U.S. Environmental Protection Agency; all Executive agencies

General Description: Executive Order (EO) 12088, issued on October 13, 1978, concerns Federal facilities' compliance with all applicable pollution control standards. The head of each Executive agency has responsibility to take all necessary actions for the prevention, control, and abatement of environmental pollution at facilities and activities under the control of the specific agency. Executive Order 12088 calls for all executive agencies to cooperate with the EPA, state, interstate, and local agencies in accomplishing these tasks. Each Executive agency is required to submit to the Office of Management and Budget (OMB), via EPA, an annual plan for the control of environmental pollution. If an Executive agency is notified that it is in violation of an applicable pollution control standard, it must take the necessary steps to achieve compliance as soon as practicable. Any conflicts arising from this notification and subsequent compliance effort will be resolved by either EPA or OMB. Executive Order 12088 does provide a mechanism for exempting Federal facilities and activities from applicable pollution control standards, but only if the President makes a determination that such an exemption is in the interest of national security, or in the paramount interest of the U.S.

Major Provisions:

- Directs the heads of all Executive agencies to comply with all applicable pollution control standards, including but not limited to, those specified in TSCA, CWA, Public Service Health Act, CAA, Noise Control Act, RCRA, Atomic Energy Act, Marine Protection, Research, and Sanctuaries Act, and FIFRA (E.O. 12088, Section 1-1)
- Requires each Executive agency to develop an annual plan for environmental pollution control and submit it to OMB addressing any required improvements in the design, construction, management, operation, and maintenance of Federal facilities and activities and provide for compliance with all applicable environmental pollution control standards (E.O. 12088, Section 1-4)
- Makes exemptions from applicable environmental pollution control standards available to Executive agencies for those statutes listed in Section 1-1 if the President makes a determination that granting such exemption is in the interest of national security or in the paramount interest of the U.S. (E.O. 12088, Section 1-7)

Enforcement: Federal facilities or activities found to be in violation of an applicable pollution control standard must consult with the agency issuing the notice of violation and develop and implement a plan to achieve compliance as soon as practicable. If conflicts arise between the Executive agency and the notifying agency, the EPA Administrator is to attempt to resolve the conflict. If this effort is unsuccessful, the head of the Office of Management and Budget will resolve the conflict, with EPA's input (E.O. 12088, Section 1-6).

Applies to or Affects: Disposal of hazardous waste; operations using hazardous or toxic substances; and operations permitted under NPDES.

SUPERFUND IMPLEMENTATION - EXECUTIVE ORDER 12580

Citation: 52 FR 2923; January 23, 1987

Administering

Agency: U.S. Environmental Protection Agency; U.S. Coast Guard (all other federal agencies have delegated authority.)

General Description: This Executive Order was issued in 1987 and addresses various Federal agency activities in implementing the statutory provisions and regulations of the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA). The Executive Order creates a National Response Team (NRT) made up of various Federal agencies and departments for national planning and coordination of preparedness and response actions, and also creates regional response teams (RRT). The Executive Order also contains a very detailed delegation of various Presidential responsibilities imposed under CERCLA to various officials in Federal department agencies. Among the types of authorities delegated are those for response action oversight, enforcement, liability determinations, litigation, and Superfund management.

Major Provisions:

- States that the National Contingency Plan (NCP) will provide for a National Response Team (NRT) consisting of representatives of various Federal departments and agencies and which will be responsible for national planning and coordination of preparedness and response actions. Also creates Regional Response Teams (RRTs), made up of state, local, and Indian Tribe government representatives, with the same duties as the NRT (E.O. 12580, Section 1)
- Designates the Department of the Interior as one of the Federal trustees as outlined under the NCP (E.O. 12580, Section 1)
- Delegates Presidential rulemaking authority to the EPA, in consultation with the NRT (E.O. 12580, Section 2)
- Gives the heads of Executive departments and agencies jurisdiction over releases or threatened releases from a vessel or facility under the control of that agency or department (E.O. 12580, Section 2)
- Gives EPA primary authority for the development of rules and regulations addressing enforcement of civil penalties and settlement agreements under CERCLA, subject to the U.S. Attorney General (E.O. 12580, Section 4)
- Gives EPA authority to manage the Hazardous Substance Superfund and associated claims (E.O. 12580, Section 9)

- Gives Executive agencies the right to present their views to the EPA Administrator prior to the selection of a remedial action affecting a specific Federal Executive Agency or Federal facility (E.O. 12580, Section 10)

Enforcement: The order specifically delegates rulemaking and guideline development responsibilities to the EPA Administrator, to be exercised in conjunction with the U.S. Attorney General. With regards to civil penalty and settlement agreement authority, each Executive department and agency is given jurisdiction over releases or threatened releases not on the NPL when the sole source of the release is from a vessel or facility under the control of the Executive department or agency, subject to the input of the U.S. Attorney General. With regard to abatement actions and settlement agreements concerning releases or threatened releases affecting the coastal zone, Great Lakes waters, ports or harbors, the U.S. Coast Guard is given oversight authority.

Applies to or Affects: Responses to major oil or hazardous substance spills or releases that occur on- or off-site and impact the facility.

FEDERAL ACQUISITION, RECYCLING, AND WASTE PREVENTION - EXECUTIVE ORDER 12873

Citation: 58 FR 203, October 22, 1993

Administering

Agency: Environmental Protection Agency; all Executive agencies

General Description: The EO charges each Executive agency to incorporate waste prevention and recycling in the agency's daily operations and increase its purchase and use of materials and products made from recovered materials. The purpose of the EO is to: 1) increase and expand markets for recovered materials through greater Federal government preference and demand for such products; 2) implement cost-effective procurement preference programs; and 3) establish high level environmental executive positions to be responsible for expediting implementation of this EO and statutes. The EO created a Federal Environmental Executive and required each Executive Agency to designate an Agency Environmental Executive who are responsible for expediting the implementation of this EO.

Major Provisions:

- Established role and duties of Federal and Agency Environmental Executives. (Part 3)
- Develop plans to eliminate or reduce dependency on virgin material requirements (Sec. 401)
- Develop and implement an affirmative procurement program.
- Promote use of electronic acquisition system. (Sec. 404)
- Review and revise all specifications, descriptions, and standards to enhance Federal procurement of materials and products that are considered environmentally preferred. (Sec. 501)
- Established national goals and deadlines for purchase of minimum recycled and post-consumer paper content. (Sec. 504)
- Sets exemption conditions for non-purchase of recycled content paper and limits the annual budget for paper products to 1994 base year expenditure. (Sec. 504.2)
- Set waste reduction goals for solid waste prevention and recycling that are achievable by 1995 and increase affirmative procurement of targeted products. (Sec. 601-602)

- Procedures shall be developed that allow agencies to retain proceeds from the sale of recovered materials. (Sec. 703)
- Establish model facility and recycling programs. (Sec. 704-705)

Enforcement:

The EO requirements for procurement shall be incorporated and implemented in the Federal Acquisition Regulation (FAR). The FAR shall provide direction and guidance on agency programs for preference, promotion, estimation, certification, reviewing and monitoring.

Applies to or Affects: Purchase of materials/products with recycled/reused contents, recycling programs, pollution prevention actions, waste minimization.

FEDERAL COMPLIANCE WITH RIGHT-TO-KNOW LAWS AND POLLUTION PREVENTION REQUIREMENTS - EXECUTIVE ORDER 12856

Citation: 58 FR 150, August 3, 1993

Administering

Agency: Environmental Protection Agency; all Executive agencies

General Description:

The purpose of the EO is to: 1) reduce the quantity and toxicity of hazardous substances entering any waste stream; 2) carrying recycling to the maximum extent; and 3) store, treat, dispose of any waste in a manner that is protective of public health and the environment.

Major Provisions:

- Each agency must have a written pollution prevention (P2) strategy that relies on pollution prevention as the primary means of achieving and maintaining compliance with all applicable environmental regulations. (Sec. 3-301)
- Develop voluntary goals to reduce total releases of toxic chemicals to the environment and off-site transfers of such chemicals to treatment and disposal facilities by 50 percent by December 31, 1999. (Sec. 3-302)
- Establish a plan and set goals for eliminating or reducing unnecessary purchase of extremely hazardous substances. (Sec. 3-303)
- Specifications and standards shall be reviewed and revised to support the intent of the Executive Order. (Sec. 3-303,b)
- Revise Federal Acquisition Regulation to implement this Executive Order within 24 months of signing the EO. (Sec. 3-303,c)
- Comply with provision of Toxics Release Inventory and P2 Act Reporting. (Sec. 3-304)
- Provide information (including material safety data sheets of hazardous chemicals) listed in the provisions of section 303 of EPCRA, to the applicable Local Emergency Planning Committee. (Sec. 3-305, b,c)
- Submit annual progress reports to the Environmental Protection Agency beginning October 1, 1995. (Sec. 4-402)

- Place a high priority on obtaining funding resources for implementing this Executive Order. (Sec. 4-404)
- Conduct internal reviews and audits to monitor compliance with TRI and EPCRA reporting requirements. (Sec. 5-503)
- Afford access to the public of all strategies, plans, and reports required under this Executive Order. (Sec. 5-508)

Enforcement: EPA may conduct reviews and inspections to monitor compliance with TRI and EPCRA reporting. Whenever EPA notifies DOI of non-compliance with applicable provisions of the Executive Order, DOI shall achieve compliance as promptly as practicable. (Sec. 5-504 and 505)

Applies to or Affects: Storage of hazardous or toxic materials, releases of hazardous or toxic materials and substances, use of materials which require obtaining material safety data sheets.

**DOI Policy: REAL PROPERTY ACQUISITION POLICY - HAZARDOUS
SUBSTANCES DETERMINATIONS**

Citation: 602 DM 2 (June 2, 1989) **Note:** The policy is currently being revised.

Administering

Agency: U.S. Department of the Interior

General Description: The goal of this policy is to ensure that Departmental bureaus, prior to acquiring real property, determine, the presence and extent of hazardous substances on the land. A determination must be performed in establishing the total cost of acquisition and any potential liability for the Department and its bureaus.

Major Provisions:

- Applies to any proposed acquisition of real property.
- Minimize liability of the Department and its bureaus.
- Perform pre-acquisition environmental site assessments to determine the absence or presence of environmental contaminants.
- Pre-acquisition environmental site assessments may be done at different levels of comprehensiveness depending upon the nature and extent of contamination.

Enforcement: Not applicable.

Applies to or Affects: Any interest in land by DOI,

DOI Policy: ENVIRONMENTAL QUALITY PROGRAMS - Comprehensive
Waste Management, 518 DM 1

Citation: 518 DM 1 (March 3, 1994)

**Administering
Agency:** U.S. Department of the Interior

General Description: This document prescribes DOI's policy, responsibilities, and functions regarding management of wastes on Departmental lands and facilities through improved awareness, program management, and accountability. DOI has major responsibility for the management and control of waste on Departmental lands and facilities, and associated response actions, in compliance with applicable statutes and regulations.

Major Provisions:

- Establishes DOI's waste management policy that is based on the four principles of pollution prevention, waste reduction, waste management, and cleanup and restoration. (Sec. 1.5)
- Assigns responsibilities for the DM's implementation, oversight, and guidance.

Enforcement: Not applicable.

Applies to or Affects: All DOI offices and facilities where waste is generated, stored and disposed of, clean up and restoration of polluted sites, recycling, and pollution prevention.

DOI Policy: ENVIRONMENTAL QUALITY PROGRAMS - Compliance with Waste Management Requirements

Citation: 518 DM 2 (June 30, 1994)

Administering

Agency: U.S. Department of the Interior

General Description: This document prescribes DOI's policy, responsibilities, and functions regarding compliance with Federal, state, interstate and local waste management requirements that affect Departmental lands and facilities.

Major Provisions:

- States that DOI will comply with applicable Federal, state, interstate, and local waste management requirements. DOI's compliance also includes payment of fees for required registrations and permits, e.g., state assessed fees on underground storage tanks. (Sec. 2.4, A.)
- DOI will perform required assessments, monitoring, pollution prevention, recordkeeping, reporting, response actions, and training on a timely basis. (Sec. 2.4.B.)
- Monitor non-Interior groups who conduct approved activities on DOI lands and facilities for compliance with waste management requirements. (Sec 2.4.C.)
- Pursue potentially responsible parties for cleanup of polluted sites. (Sec. 2.4.D)
- Assigns responsibility for review, compliance, oversight, guidance and implementation of 518 DM 2.

Enforcement: Not applicable.

Applies to or Affects: All Departmentally-managed lands and facilities, solid and hazardous waste, and hazardous materials and substances.

LIST OF ENVIRONMENTAL ACRONYMS

AO	-	Administrative Order (issued by EPA)
ARAR	-	Applicable or relevant and appropriate requirement
AST	-	Aboveground Storage Tank
BRAC	-	Base Realignment and Closure
CA	-	Corrective Action (RCRA)
CAA	-	Clean Air Act
CEG	-	Conditionally exempt generator
CERCLA	-	Comprehensive Environmental Response, Compensation, and Liability Act
CERCLIS	-	CERCLA Information System
CHA	-	(DOI) Central Hazmat Account
C/PC	-	Closure/Post-closure
CWA	-	Clean Water Act
DERP	-	Defense Environmental Restoration Program
EPA	-	Environmental Protection Agency
FFCA	-	Federal Facility Compliance Act of 1992 or federal facility compliance agreement
FIFRA	-	Federal Insecticide, Fungicide, and Rodenticide Act
FLPMA	-	Federal Land Policy and Management Act of 1976
FUDs	-	Formerly used Department of Defense facilities
HDPE	-	High density polyethylene plastic
HMTA	-	Hazardous Materials Transportation Act

HSWA	-	Hazardous Solid Waste Amendments of 1984
LDF	-	Land disposal facility
LDPE	-	Low density polyethylene
LDR	-	Land disposal restrictions
LUST	-	Leaking Underground Storage Tank
MCLs	-	Minimum contaminant levels
MRF	-	Materials recovery or recycling facility
NAAQS	-	National Ambient Air Quality Standards
NCP	-	National Contingency Plan
NEPA	-	National Environmental Policy Act of 1969
NOV	-	Notice of Violation
NPDES	-	National Pollutant Discharge Emissions Standards
NPL	-	National Priorities List
NRC	-	National Response Center
NRDA	-	Natural Resources Damages Assessment
OPA	-	Oil Pollution Act
OSWER	-	(EPA) Office of Solid Waste and Emergency Response
PA/SI	-	Preliminary assessment/Site investigation
PEP	-	(DOI) Office of Environmental Policy and Compliance
PET	-	Polyethylene terephthalate (plastic)
PM-10	-	Particulate matter (below 10 microns)
P2	-	Pollution prevention

RCRA	-	Resource Conservation and Recovery Act
RFI	-	RCRA facility investigation
RI/FS	-	Remedial investigation/Feasibility study
SARA	-	Superfund Amendment and Reauthorization Act of 1986
SDWA	-	Safe Drinking Water Act
SIPs	-	State Implementation Plan
SQG	-	Small quantity generator
SWMU	-	Solid waste management unit
TCLP	-	Toxicity Characteristic Leaching Procedure
TSCA	-	Toxic Substances Control Act
TSDF	-	Treatment, storage, and disposal facilities
UST	-	Underground storage tank

Regulatory Hotlines

RCRA/Superfund/EPCRA Hotline

(8:30 - 7:00 EST)

800/424-9346 or 703/412-9810

- This hotline provides general information and answers factual questions from the regulated community, other interested parties, and the public about EPA's RCRA regulations and policies and provides referrals for obtaining related documents on RCRA, Underground Storage Tanks (UST), Superfund (CERCLA), and EPCRA (Title III of SARA.)

Department of Transportation Hazardous Materials Information Hotline

(9:00 - 4:00 EST)

202/366-4488

- DOT provides this hotline as a service to those needing regulatory and technical information on the transportation of hazardous materials.

Safe Drinking Water Hotline

(9:00 - 5:00 EST)

800/426-4791 or 202/260-7908

- This hotline provides technical and regulatory information regarding public water systems. A referral service for related topics is also available.

Stormwater Hotline

(8:00 - 5:00 EST)

703/821-4823

- This information hotline provides information pertaining to NPDES storm water regulations. Documents that are available through this hotline include water regulations, guidance manuals, application forms, and related materials.

Toxic Substances Control Act (TSCA) Hotline
(8:30 - 5:00 EST)
202/554-1404
202/554-5603 (online service/modem)

- This hotline provides technical and general information on TSCA regulations.

Asbestos Ombudsman Hotline/Clearinghouse
(8:00 - 4:30 EST)
800/368-5888 or 703/305-5938

- This hotline provides information on the handling and abatement of asbestos. Also assists small business in compliance with EPA regulations.

Information Clearinghouses

Air Technology Transfer Network
919/541-5384
919/541-5742 (modem)

- This network provides various bulletin boards and data bases on topics related to the Clean Air Act, including air regulations and an air toxic inventory.

National Pesticide Information Retrieval System (NPIRS)
317/494-6614

- NPIRS provides information by subscription on registered pesticides and the health and safety effects of a wide spectrum of hazardous chemicals. NPIRS also develops and operates databases to provide environmental and regulatory information.

Pollution Prevention Information Clearinghouse (PPIC)
202/260-1023

- This clearinghouse is dedicated to reducing industrial pollutants through technology transfer, education, and public awareness. PPIC provides assistance to users in establishing pollution prevention programs, identifying pollution prevention opportunities, and locating and ordering pollution prevention documents and guidance materials.

Office of Environmental Policy and Compliance Bulletin Board System (OEPC BBS)
OEPC BBS phone line are, 202/208-7119 and 202/501-6946.

The Office of Environmental Policy and Compliance (OEPC), Bulletin Board System (BBS) provides an opportunity for people to obtain and share environmental information. The BBS has several topic categories, called conferences, that the caller can access to view and obtain information and to send and retrieve text and graphic files.