



NORTHEAST WASTE MANAGEMENT OFFICIALS' ASSOCIATION

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OSWER Docket, EPA Docket Center
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Docket ID Number EPA-HQ-RCRA-2012-0121

Dear Sir or Madam:

The Northeast Waste Management Officials' Association (NEWMOA) appreciates the opportunity to comment on the "Hazardous Waste Generator Improvements; Proposed Rule," as published in the *Federal Register* (September 25, 2015). The comments outlined below represent a consensus of NEWMOA's members. In general, NEWMOA is supportive of the intent and goals of proposed rule. Some individual NEWMOA state members plan to comment on specific provisions of the rulemaking.

We are concerned about the burden this rule will place on the limited state Resource Conservation and Recovery Act (RCRA) program capacity that will be required to implement it. For most state RCRA programs, the staff resources available to undertake RCRA policy changes and the authorization process have been declining for many years and are at an all-time low. These staff are currently working on the authorization process for implementing important EPA RCRA rules that the Agency promulgated over the past five or more years. The Generator Improvement Rule will place significant burdens on these staff because of the need to compare and cross walk existing state regulations against the revisions in the rule and to determine how to align the states' rules so that they reference the proper federal requirements and are at least as stringent as EPA's. In addition, there are public and legislative notifications and other policy-making processes that states must follow that are time-consuming. Further, the marked increase in generator reporting from this rulemaking (i.e., SQG notifications) and other pending changes to the federal hazardous waste regulations (e.g., healthcare facility notifications under the proposed pharmaceutical waste rule) will be very difficult for data management staff to keep up with. To provide adequate time for state programs to successfully implement these rules, NEWMOA recommends that EPA allow them four to six years to apply for authorization. NEWMOA also recommends that EPA allocate adequate supplemental RCRA funds to the states to at least partially off-set the resource costs associated with the authorization process, just as EPA did for the corrective action rules that were promulgated many years ago.

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NEWMOA is a nonprofit, nonpartisan interstate association that has a membership composed of the hazardous waste, solid waste, waste site cleanup, and pollution prevention program directors for the environmental agencies in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NEWMOA was established by the Governors of the New England states as an official regional organization to coordinate interstate hazardous and solid waste, pollution prevention, and waste site cleanup activities, and was formally recognized by the U.S. Environmental Protection Agency (EPA) in 1986. NEWMOA's mission is to develop, lead, and sustain an effective partnership of states that helps achieve a clean, healthy, and sustainable environment by exploring, developing, promoting, and implementing environmentally sound solutions for:

- Reducing materials use and preventing pollution and waste,
- Properly reusing and recycling discarded materials that have value,
- Safely managing solid and hazardous wastes, and
- Remediating contaminated sites.

The group fulfills this mission by providing a variety of support services that:

- Facilitate communication and cooperation among member states, between the states and the U.S. EPA, and between the states and other stakeholders;
- Provide research on and evaluation of emerging issues, best practices, and data to help state programs maximize efficiency and effectiveness; and
- Facilitate development of regional approaches to solving critical environmental problems.

Thank you for the opportunity to comment on the proposed rule. We look forward to EPA's final decision on this important rulemaking. Please contact Terri Goldberg, NEWMOA at (617) 367-8558 x302, tgoldberg@newmoa.org if you have any questions about these comments.

Sincerely,



Michael Wimsatt
New Hampshire Department of Environmental Services
NEWMOA 2016 Hazardous Waste Program Chair

cc: NEWMOA Board of Directors
NEWMOA Hazardous Waste Program Steering Committee
Beth Deabay, EPA Region 1
Leonard Voo, EPA Region 2
Dania Rodriguez, ASTSWMO