

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 271—273, 277, 279, 281, 283, 285, 287—289, 291, 293, 295, 297 AND 299]

Amendments to Municipal and Residual Waste Recordkeeping and Reporting Requirements; Substantial Plan Revisions

The Environmental Quality Board (Board) proposes to amend Chapters 271—273, 277, 279, 281, 283, 285, 287—289, 291, 293, 295, 297 and 299.

The proposed amendments eliminate duplicate data submission to the Department of Environmental Protection (Department) and reduce unnecessary or duplicative recordkeeping requirements for the regulated community while maintaining environmental protection and public access to information. These proposed amendments result from a year long review of all the reporting requirements in the municipal and residual waste programs under the Secretary's Regulatory Basics Initiative and Executive Order 1996-1. Each report or recordkeeping requirement was evaluated to determine if the information was necessary and critical, if the requested information was available elsewhere, if additional or different information was needed and if the information could be handled more efficiently through electronic receipt, improved data input, submission to different offices or other method.

In addition, these proposed amendments implement a recommendation of the Municipal Waste Stakeholders Group (Stakeholders Group) regarding county municipal waste plan revisions. The 28-member Stakeholders Group, sponsored by the Department and the County Commissioners Association of Pennsylvania, was formed to discuss municipal waste issues. The group included recyclers, haulers, landfill operators, county waste authorities, municipal and county government representatives, and environmental and public interest groups. The proposed amendment would revise § 272.252(e) (relating to development of plan revisions) to allow counties to add or delete a waste management facility to or from their county municipal waste management plan as a nonsubstantial plan revision. Currently the regulations consider this to be a substantial plan revision.

This proposal was adopted by the Board at its meeting of December 17, 1996.

A. Effective Date

These amendments will go into effect upon publication in the *Pennsylvania Bulletin* as a final rulemaking.

B. Contact Persons

For further information contact Keith Kerns, Chief, Division of Waste Minimization and Planning, P. O. Box 8472, Rachel Carson State Office Building, Harrisburg, PA 17105-8472 (717) 787-7382, or electronically at Kerns.Keith@A1.dep.state.pa.us or Kristen Campfield, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464 (717) 787-7060 or electronically at Campfield.Kristen@A1.dep.state.pa.us. Information regarding submitting comments on this proposal appears in Section J of this Preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984

(TDD users) or (800) 654-5988 (voice users). This proposal is available electronically through the Department Web site (<http://www.dep.state.pa.us>).

C. Statutory Authority

The proposed rulemaking is being made under the authority of the following:

- The Solid Waste Management Act (SWMA) (35 P. S. §§ 6018.101—6018.1003), which in section 105(a) (35 P. S. § 6018.105(a)) grants the Board the power and duty to adopt the rules and regulations of the Department to carry out the provisions of the SWMA.

- The Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904), which in section 302 (53 P. S. § 4000.302) gives the Board the power and duty to adopt the regulations of the Department to accomplish the purposes and to carry out the provisions of this act.

- The Clean Streams Law (35 P. S. §§ 691.1—691.1001), which in section 5(b) (35 P. S. § 691.5(b)) grants the Department the authority to formulate, adopt, promulgate and repeal the rules and regulations as are necessary to implement the provisions of this act.

- The Infectious and Chemotherapeutic Wastes Law (35 P. S. §§ 6019.1—6019.6), which in sections 2(b) and 4(b) (35 P. S. §§ 6019.2(b) and 6019.4(b)) grants the Department the authority to propose regulations as may be necessary or appropriate to accomplish the purposes of this act and grants the Board the authority to adopt rules and regulations of the Department to accomplish the purposes and to carry out the provisions of this act.

D. Background and Purpose

Reporting Requirements

The Department, in an effort to maintain environmental protection, continue providing information to the public, eliminate duplicate data submission, and reduce recordkeeping requirements, formed a committee of regional and central office managerial and technical staff to review all relevant report requirements. Except for those forms previously reviewed by the Department's Permit Application Team, this amounted to over 100 separate forms. The result of the review of the municipal, residual and infectious and chemotherapeutic waste regulations is included in this regulatory package. Revisions to the hazardous waste reporting requirements appeared at 27 Pa.B. 237 (January 11, 1997).

The review committee began its work in March, 1995. Its objectives were to eliminate unnecessary and duplicative reports, to reduce the information requested, to more effectively handle the information received and to ask only for the information needed to administer the waste programs without compromising the Department's or the public's need for information. For each reporting requirement the committee asked:

- Is the report necessary and critical?
- Can the amount of information be decreased?
- Is the requested information available elsewhere?
- Is additional or different information needed?
- Can the information be handled better—electronically, data input, submission to different offices, etc.?

The Department's Solid Waste Advisory Committee (SWAC) was given a status report on this proposal in May

1995. An additional briefing was provided in March 1996. SWAC suggested that for each reporting requirement the Department proposes to eliminate, the Department provide information on an alternate source of the same data. As a result of this comment, a table containing this information appears in the "Summary of Regulatory Requirements" portion of this Preamble.

SWAC also suggested that the program administration fee structure be evaluated to see if the fees could be reduced in line with the reduction in reporting requirements. The review of the fee structure showed that the fees should not be revised since, for the most part, the information is still being reviewed, either through submission or by inspections. Even though it may not be submitted as often, the Department's field staff will have the added responsibility of ensuring it is prepared and maintained at the facility.

The public, regulated industry and Department staff were invited to participate in the review by an article in the May 26, 1995, Department Update. Suggestions on improving the format and ease of use of the forms as well as frequency of reporting were specifically requested. In addition, presentations were made to the Pennsylvania Chamber of Business and Industry and to the Pennsylvania Waste Industry Association's Technical Advisory Committee members. Of all the comments submitted, 90% had already been anticipated by the review committee.

In October 1995, Keith Kerns, Chief of the Department's Waste Minimization and Planning Division, co-chaired a session at the Waste Today Conference and reviewed the Committee's progress. Participants were enthusiastic about the time and money these reporting revisions will save industry.

The package also includes the addition of a new section to the municipal waste regulations (§ 271.4) which will authorize the submission of data electronically. Electronic submissions are allowed under the existing residual waste regulations. The Board is interested in comments regarding interest in and the feasibility of allowing submission of reports electronically. Specific suggestions on which reports are better suited to electronic submission and the format preferred are requested. Any information on costs or savings to the regulated community realized by the reduction in reporting and the electronic reporting option are also requested.

The Department has prepared draft forms of what the various report forms will look like if the proposed revisions are finalized. These draft forms are available through the contact persons listed in Section B of this Preamble or can be viewed on the Department's World Wide Web site (<http://www.dep.state.pa.us>). To locate, select "INFORMATION BY ENVIRONMENTAL SUBJECT" and then select the MUNICIPAL AND RESIDUAL WASTE HOMEPAGE.

Plan Revisions

These proposed regulatory revisions also implement a recommendation of the Stakeholders Group regarding county municipal waste plan revisions. The Board proposes to revise § 272.252(e) to allow counties to add or delete a waste management facility to or from their county municipal waste management plan through a nonsubstantial plan revision. Currently the regulations require a substantial plan revision.

Entire Package

The full proposed regulatory package was reviewed with SWAC at its September 12, 1996, meeting. SWAC

approved the proposal with several recommended revisions. The revisions are incorporated in this proposal.

None of these revisions exceeds Federal requirements. Related municipal waste Federal regulations can be found in the Environmental Protection Agency's (EPA) "Criteria for Municipal Solid Waste Landfills," 40 CFR Part 258, at § 258.29. The EPA requires submission of records upon request, to the state director (that is, the Secretary of the Department). The Department has obtained EPA approval of its landfill permitting program (including recordkeeping and reporting under Part 258). These proposed regulatory amendments will not jeopardize the EPA approval.

There are no companion Federal residual waste regulations. Because the Department is responsible for program administration, including compliance monitoring, detailed periodic reporting is necessary.

E. Summary of Regulatory Requirements

Descriptive Summary

Chapter 271 (relating to municipal waste management—general provisions)

Chapter 271 contains the general provisions for the municipal waste programs, including permit requirements, review procedures, financial assurance requirements, civil penalties and enforcement procedures. The Board proposes to add § 271.4 (relating to alternate data submission). This section would authorize the submission of information to the Department electronically. There have been significant advances in the field of electronic data interchange. The Board requests specific comments regarding the different methods of electronic submission and which techniques should be pursued and made available to the regulated community—electronic data interchange, internet connection, fax submission, smart forms, and the like.

Chapter 272 (relating to municipal waste planning, recycling and waste reduction)

Chapter 272 contains the municipal waste planning, recycling and waste reduction requirements.

The Board proposes to revise § 272.252(e). This section lists those county municipal waste plan revisions that are considered a substantial revision. As a substantial revision, the county is required to comply with §§ 272.202, 272.241—272.243 and 272.245 including notification to the county advisory committee, publication of a public notice, notification to the municipalities following the ratification process used in the initial plan adoption, and submitting implementing documents, in addition to requirements applicable to a nonsubstantial plan revision. Those requirements consist of notifying the Department, complying with certain content requirements and notifying the municipalities and advisory committee. The proposed revision would remove the addition or deletion of a resource recovery facility or municipal waste landfill from the list of actions that are considered to be substantial plan revisions.

Chapter 273 (relating to municipal waste landfills)

Chapter 273 contains the application and operating requirements for municipal waste landfills. The Board proposes to revise § 273.311 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

No changes are proposed for the quarterly operation report in § 273.312 (relating to the quarterly operation report).

The Board proposes to revise § 273.313 (relating to annual operation report). Information on the weight or volume of waste received and on the type of waste received by county and transporter will no longer be required. This information will still be required to be recorded in the daily record. Information on groundwater monitoring wells, erosion and sedimentation control structures, leachate storage or treatment facilities will no longer be required on the annual report. This information is required to be submitted in the initial permit application and revisions to these systems must be reported as they are made. Information regarding emergency disposal areas will not be required in the annual report because that information must be recorded in the daily record.

Additionally, the facility will not be required to include notification of critical stages of construction in the annual report because that information is included in a permit application. Nor will a facility be required to include an analysis of special handling or residual waste received, because these analyses must be retained as part of the approval needed prior to the receipt of these wastes. Since the facility identifies the counties which have used the facility in the previous year on their daily record and quarterly report, this information will no longer be required on the annual report. Waste identified by specific transporter will also no longer be required.

For each reporting requirement that is proposed to be eliminated an alternate source of the same data is listed in the table at the end of this summary.

Chapter 277 (relating to construction/demolition waste landfills)

Chapter 277 contains the application and operating requirements for construction/demolition waste landfills.

The Board proposes to revise § 277.311 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 277.312 (relating to annual operation report). Information on the weight or volume of waste received and the type of waste received by county and transporter will no longer be required. This information will still be required to be recorded on the daily record. Information on groundwater monitoring wells, erosion and sedimentation control structures, leachate storage or treatment facilities will no longer be required on the annual report. This information is required to be submitted in the initial permit application and revisions to these systems must be reported as they occur. Information regarding emergency disposal areas will not be required in the annual report because changes in that information must be included in the daily record. The facility will not be required to include notification of critical stages of construction in the annual report because that information is included in a permit application. Waste identified by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 279 (relating to transfer stations)

Chapter 279 contains the application and operating requirements for transfer stations.

The Board proposes to revise § 279.251 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board also proposes to revise § 279.252 (relating to annual operation report). Because a transfer facility is required to include the weight or volume of waste received, the county or State where it originated, the transporters, amount of material recycled or marketed, and the destination of the waste on the daily record, this information will no longer be required on the annual report. Information regarding emergency disposal areas will not be required in the annual report because that information must be kept in the daily record. Chemical analyses for special handling waste certification will no longer be required because the facility is required to receive these analyses and keep them as part of their approval to receive these wastes.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 281 (relating to composting facilities)

Chapter 281 contains the application and operating requirements for composting facilities.

The Board proposes to revise § 281.271 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 281.272 (relating to the annual operational report). Because a composting facility is required to include the weight or volume of waste received and the transporters on the daily record, this information will no longer be required on the annual report. Chemical analyses for special handling waste certification will no longer be required because the facility is required to receive these analyses and keep them as part of their approval to receive these wastes. Waste identified by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 283 (relating to resource recovery and other processing facilities)

Chapter 283 contains the application and operating requirements for municipal waste resource recovery and other processing facilities.

The Board proposes to revise § 283.261 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 283.262 (relating to annual operational report). Because the facility is required to include the county or state where it originated, the transporters, amount of material recycled or marketed, disposal information for bypassed waste and waste products, and handling and disposal problems on the daily record, this information will no longer be required on the annual report. Analyses for special handling waste will no longer be required because the facility is required to receive these analyses and keep them as part of their approval to receive these wastes. Waste identified by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 285 (relating to storage, collection and transportation of municipal waste)

Chapter 285 contains the requirements for storage, collection and transportation of municipal waste, as well as the operational and transporter licensing requirements for infectious and chemotherapeutic waste.

The Board proposes to revise § 285.217 (relating to recordkeeping) to clarify that a report is required in the cab of a collection or transportation vehicle.

Currently there is no requirement for an infectious and chemotherapeutic waste transporter daily report and none is proposed. However, an infectious and chemotherapeutic waste manifest is required to be prepared by the infectious and chemotherapeutic waste generator, § 285.412 (relating to preparation of manifest), and carried with each load, § 285.421 (relating to basic requirements). The manifest is required to be retained for 5 years, § 285.403 (relating to recordkeeping). There are four copies of the manifest, § 285.411 (relating to use of manifest). One is retained by the generator, one by the transporter, and one by the management facility who then returns the final copy back to the generator after the material is received by the management facility.

The Board proposes to revise § 285.334 (relating to annual operational report). Because the infectious and chemotherapeutic waste transporter is required to include generator and transporter information on the infectious and chemotherapeutic waste manifest, this information will no longer be required on the annual report. The State manifest document number is no longer applicable and has been eliminated from the annual report. In addition, the annual report will now only include the first transporter when multiple transporters are utilized. All transporters must be identified on the manifest.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 287 (relating to residual waste management—general provisions)

Chapter 287 contains the general provisions for residual waste management.

The Board proposes to revise § 287.51 (relating to scope). Currently persons or municipalities that generate more than 2,200 pounds of residual waste per generating location in any single month of the previous year are required to prepare a biennial report, a source reduction strategy and a chemical analysis of the waste generated. The proposed revision would allow the generator to average the amount generated over the year and the generator would be required to comply with this subchapter only if the average per month exceeds 2,200 pounds.

Chapter 288 (relating to residual waste landfills)

Chapter 288 contains the operating requirements for residual waste landfills.

The Board proposes to revise § 288.281 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request. An analysis of the quantity and quality of leachate flowing from the landfill would be required as per the specific facility permit requirements.

The Board proposes to delete § 288.282 (relating to quarterly operation report), because all of the information required in the quarterly report must be included on the daily report.

The Board proposes to revise § 288.283 (relating to annual operational report). Because the facility is required to include information about groundwater monitoring wells, access roads, a facility office, erosion and sedimentation structures, and property lines and boundaries of the permitted fill areas in the permit application map or in a permit modification, this information will no longer be required on the annual report. Information about leachate storage or treatment facilities must be part of the facility permit application or leachate treatment plan, and will no longer be required on the annual report. For noncaptive facilities, the type and weight of the waste received from each transporter is required on the daily record and will no longer be required on the annual report. Identification of waste received by transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 289 (relating to residual waste disposal impoundments)

Chapter 289 contains the requirements for residual waste disposal impoundments.

The Board proposes to revise § 289.301 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than

submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond or longer if directed by the Department. The information must be made available to the Department upon request.

The Board proposes no changes to the quarterly operation report.

The Board proposes to revise § 289.303 (relating to annual operational report). Identification of contours at the beginning and end of the year, and of the completed fill area will no longer be required on the annual report. That information is not appropriate for an impoundment. Information about groundwater monitoring wells, access roads, the facility office, erosion and sedimentation control structures and location of treatment facilities must be included in the initial map and facility operation plan, submitted with a permit application, and will no longer be required on the annual report. Identification of property lines and boundaries of the permitted disposal and lined areas will no longer be required since that information must be submitted in the permit application. Notification of critical stages of facility construction or operation that require certification by a registered professional engineer must be included upon completion of each major construction activity with the certification in § 289.202 (relating to certification) and will not be required in the annual report. Certification that the operator of a disposal impoundment has received the waste analysis or certification required by § 287.54 (relating to chemical analysis of waste) for special handling waste received at the facility, and that the special handling waste received at the facility meets the conditions in the facility's permit will no longer be required on the annual report. Special handling wastes are not permitted to be disposed at residual waste impoundments.

For noncaptive facilities, the type and weight or volume of solid waste received from each transporter will no longer be required on the annual report. Daily records require reporting of the amount and type of waste and of the transporters, but not the amount or type of waste received from each transporter.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 291 (relating to land application of residual waste)

Chapter 291 applies to the land application of residual waste.

The Board proposes to revise § 291.221 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 293 (relating to transfer facilities for residual waste)

Chapter 293 contains the requirements for residual waste transfer facilities.

The Board proposes to revise § 293.251 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 293.252 (relating to annual operational report). Because the transfer facility is required to include information about the weight or volume of waste received, generator information and transporter information on the daily record, this information will no longer be required on the annual report. Specific amounts of waste received by each generator will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 295 (relating to composting facilities for residual waste)

Chapter 295 applies to residual waste composting facilities.

The Board proposes to revise § 295.271 (relating to daily operational records). The weight or volume of materials used, reclaimed, marketed or disposed must be reported on the annual report and will no longer be required on the daily record. A record of deviation from the approved design will no longer be required on the daily report because that information must be reported to the Department as it occurs. The daily report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 295.272 (relating to annual operational report). Identification of waste received by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 297 (relating to incinerators and other processing facilities)

Chapter 297 applies to residual waste incinerators and other processing facilities.

The Board proposes to revise § 297.261 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be

recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 297.262 (relating to annual operational report). Because the facility is required to include information in the daily record about transporters and where bypass wastes and other waste are ultimately disposed, this information will no longer be required on the annual report. Identification by a transporter of specific wastes will no longer be required. The amount of waste disposed must now be included on the annual report.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

Chapter 299 (relating to storage and transportation of residual waste)

Chapter 299 applies to residual waste storage and transportation.

The Board proposes to revise § 299.219 (relating to recordkeeping and reporting). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. Clarification was added that the daily record must be in the cab of the transportation vehicle on the date of collection or transportation. In addition, the Department can require retention of the daily record for a specified length of time.

The annual report requirement has been deleted completely. Information needed by the Department can be found on the daily record. Annual totals of waste transported and information specific to each generator will not be required.

For each reporting requirement that is proposed to be eliminated an alternate source of the same data is listed in the table at the end of this summary.

TABLE

This table is provided upon SWAC's recommendation. It lists the reporting items proposed to be deleted (a section reference is given along with a summary of the requirement) and at least one alternate location where the information can be found.

Proposed Deletion

Alternate Information Source

CHAPTER 273. MUNICIPAL WASTE LANDFILLS

§ 273.313. Annual operation report.

(b)(1) Weight or volume of solid waste received.	Daily record. § 273.311(b)(1). Quarterly fee report. § 273.312(b)(1).
(b)(2) Type and weight or volume of solid waste received by county or state.	Daily record. § 273.311(b)(2). Quarterly fee report. § 273.312(b)(2).
(b)(3) Type and weight or volume of solid waste received by transporter.	Daily record. § 273.311(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.
(b)(4)(ii, iv, v, vi) Location of groundwater monitoring wells, access roads, erosion and sedimentation control structures and devices, leachate storage or treatment facilities, property lines, boundaries of permitted fill areas and boundaries of lined areas.	Maps & related information. § 273.113. Map and grid requirements. § 273.133. Water quality monitoring plan. § 273.152. Recordkeeping. § 273.288. Permit modification. § 271.222.
(b)(10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.	Daily record. § 273.311(b)(5).
(b)(11) Notification of critical stages of facility construction requiring professional engineer certification in the next year.	Operation plan. § 273.132(1). Permit modification. § 271.222.
(b)(12) An analysis of special handling or residual waste received at the facility in the previous year.	Facility is required to receive these analyses and keep them as part of their approval to receive these wastes. § 271.621.
(b)(15) Counties that have used the facility during the past year.	Daily operational record. § 273.311(b)(2).

CHAPTER 277. CONSTRUCTION/DEMOLITION WASTE LANDFILLS

§ 277.312. Annual operation report.

(b)(1) Weight or volume of the types of solid waste received.	Daily record. § 277.311(b)(1).
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Proposed Deletion

(b)(2) The type and weight or volume of solid waste received by county or state.

(b)(3) Type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(b)(4)(ii, iv, v, vi) Groundwater monitoring wells, access roads, facility office, erosion and sedimentation control structures, leachate storage or treatment facilities, property lines, boundaries of permitted fill areas and boundaries of lined areas.

(b)(10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.

(b)(11) Notification of critical stages of facility construction or operation that require professional engineer certification.

Alternate Information Source

Daily record. § 277.311(b)(2).

Daily records. § 277.311(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

Map and grid requirements. § 277.133.
Map and related information. § 277.113.
Leachate treatment plan. § 277.162.
Permit modification. § 271.222.

Daily operational record. § 277.311(b)(5).

Operation plan. § 277.132(1).
Map and grid requirements. § 277.133(a)(1).

CHAPTER 279. TRANSFER FACILITIES

§ 279.252. Annual operation report.

(b)(1) The weight or volume of each waste received.

Daily record. § 279.251(b)(1).

(b)(2) The county or state in which the solid waste originated.

Daily record. § 279.251(b)(2).

(b)(3) The transporters of the solid waste.

Daily record. § 279.251(b)(3).

(b)(4) The weight or volume of each material recycled or marketed.

Daily record. § 279.251(b)(5) requires information on materials recycled but not materials marketed.

(b)(5) The destination of the solid waste.

Daily record. § 279.251(b)(4).

(b)(9) A description of emergency disposal areas.

Daily record. § 279.251(b)(6).

(b)(10) An analysis of special handling waste received at the facility in the previous year.

Facility is required to receive these analyses and keep them as part of their approval to receive these wastes. § 271.621.

CHAPTER 281. COMPOSTING FACILITIES

§ 281.272. Annual operation report.

(b)(2) The transporters of the waste.

Daily record. § 281.271(b)(3).

(b)(4) The type and weight or volume of waste received by transporter.

Daily records. § 281.271(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

(b)(10) Certification that the residual or special handling waste received at the facility meets the conditions of the facility's permit.

Facility is required to receive the analyses and keep them on file as part of its permit to receive residual and/or special handling municipal waste. § 271.621.

CHAPTER 283. RESOURCE RECOVERY AND OTHER PROCESSING FACILITIES

§ 283.262. Annual operation report.

(b)(1) The weight or volume of each waste received.

Daily record period. § 283.261(b)(1).
Quarterly fee reports. § 273.32(b)(1)

(b)(2) The county or state in which the solid waste originated.

Daily record. § 283.261(b)(2).

(b)(3) The transporters of the solid waste.

Daily record. § 283.261(b)(3).

(b)(4) The weight or volume of each material recycled or marketed as a result of the process.

Daily record. § 283.261(b)(4).

(b)(5) For bypassed wastes and waste products, the name and county or state of the facility where the solid waste is ultimately disposed.

Daily record. § 283.261(b)(5).

Proposed Deletion

(b)(6) A description of handling problems or emergency disposal activities.

(b)(7) The type and weight or volume of solid waste received from each transporter.

(b)(11) A description of emergency disposal areas or methods.

(b)(12) An analysis of special handling waste received at the facility in the previous year.

(b)(14) Certification that the residual or special handling waste received at the facility meets the conditions of the facility's permit.

Alternate Information Source

Daily record. § 283.261(b)(6).

Daily record. § 283.261(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

Daily record. § 283.261(b)(6).

Facility is required to receive these analyses and keep them as part of their approval to receive these wastes. § 271.621.

Facility is required to receive analyses and keep them on file as part of its permit to receive these wastes. § 271.621

CHAPTER 285. STORAGE, COLLECTION AND TRANSPORTATION OF MUNICIPAL WASTE**Subchapter C. TRANSPORTER LICENSING FOR INFECTIOUS AND CHEMOTHERAPEUTIC WASTE***§ 285.334. Annual report.*

(b)(1) The name, mailing address and telephone number for each generator from whom the transporter accepted infectious or chemotherapeutic waste.

Manifest. § 285.412(a)(1).

(b)(2) Telephone number of the processing or disposal facility.

Manifest. § 285.412(a)(10).

(b)(3) The State manifest document number for each shipment of infectious or chemotherapeutic waste transported.

Document number is not needed. The Department does not receive a copy of the manifest.

(b)(5) When more than one transporter is used to transport a single shipment of infectious or chemotherapeutic waste from the generator to the processing or disposal facility, the name, mailing address, telephone number and infectious or chemotherapeutic waste license number for each transporter.

Manifest. § 285.412(a)(3) and § 285.411(c)(2) and (3).

CHAPTER 288. RESIDUAL WASTE LANDFILLS

§ 288.282. Quarterly operation report—Proposal is to delete this quarterly report requirement.

(b)(1) The type and weight or volume of solid waste received

Daily record. § 288.281(b)(1).

(b)(2) For noncaptive facilities, the name, mailing address, county and state of each generator of residual waste.

Daily record. § 288.281(b)(8)(ii).

(b)(3) An analysis of the quality and quantity of leachate flowing from the landfill into the leachate storage and treatment system.

Added to daily record. § 288.281(b)(8)(iii).

§ 288.283. Annual operation report.

(b)(2)(ii) The location of groundwater monitoring wells, access roads and the facility office.

Permit modification. § 287.222.
Application map and grid requirements. § 288.133(a).

(b)(2)(iv) Erosion and sedimentation control structures and devices.

Permit modification. § 287.222.
Application map and grid requirements. § 288.133(a)(6).

(b)(2)(v) Leachate storage or treatment facilities, or both.

Permit modification. § 287.222.
Leachate treatment plan. § 288.413.
Leachate treatment plan. § 288.513.

(b)(2)(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas.

Permit modification. § 287.222.
Application map and grid requirements. § 288.133.

Proposed Deletion

(b)(11)(ii) For noncaptive facilities the type and weight or volume of solid waste received from each transporter.

Alternate Information Source

Daily record. § 288.281(b)(1) and (b)(8)(i) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

CHAPTER 289. RESIDUAL WASTE DISPOSAL IMPOUNDMENTS

§ 289.303. Annual operation report.

(b)(2)(i) The contours at the beginning and the end of the year.

Not appropriate for an impoundment.

(b)(2)(ii) The location of groundwater monitoring wells, access roads and the facility office.

Map and grid requirements. § 289.133.
Operation plan. § 289.132.
Permit Modification. § 287.222.

(b)(2)(iii) The completed area of the site as well as areas partially filled but not active during the previous year.

Not appropriate for an impoundment.

(b)(2)(iv) Erosion and sedimentation control structures and devices.

Operation plan. § 289.132.
Map and grid requirements. § 289.133(a)(6).
Permit Modification. § 287.222.

(b)(2)(v) The location of treatment facilities.

Map and grid requirements. § 289.133(a)(6).
Postclosure land use plan. § 289.172.
Permit modification. § 297.222.

(b)(2)(vi) Property lines, boundaries of permitted disposal areas and boundaries of lined areas.

Permit application. § 289.133.
Permit modification. § 287.222

(b)(8) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will occur the next year.

Certification. § 289.202.

(b)(10) Certification that the special handling waste that is received at the facility meets the conditions in the facility's permit.

Special handling wastes are not permitted to be disposed at a residual waste impoundment. § 289.423 and § 289.523.

(b)(11)(ii) For noncaptive facilities, the type and weight or volume of solid waste received from each transporter

Daily records. § 289.301(b)(1) and (b)(7)(i) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

CHAPTER 293. TRANSFER FACILITIES FOR RESIDUAL WASTE

§ 293.252. Annual operational record.

(b)(2) The type and weight or volume of solid waste received from each generator, including the name, mailing address, county and the state of each generator.

Daily record. § 293.251(1) and (2) require this information be recorded by type and amount but not by each generator.

(b)(3) The transporters of the solid waste.

Daily record. § 293.251(b)(3).

CHAPTER 295. COMPOSTING FACILITIES FOR RESIDUAL WASTE

§ 295.271. Daily operational records.

(b)(4) Weight or volume of each material used, reclaimed or marketed.

Annual operation report. § 295.272.

(b)(5) A record of deviation from the approved design or operational plans.

Any deviation from the permit must be reported to the Department immediately. § 287.222.

§ 295.272. Annual operation report.

(b)(4) The type and weight or volume of waste received from each transporter.

Daily operational record. § 295.271(b)(1) and (b)(3) require recording of waste received and transporters by amount, but not waste received by each transporter.

CHAPTER 297. INCINERATORS AND OTHER PROCESSING FACILITIES

§ 297.262. Annual operation report.

(b)(3) The transporters of the solid waste.

Daily operational record. § 297.261(b)(3).

Proposed Deletion

(b)(5) The name, county and state of the facility where by-pass wastes and waste products are ultimately disposed.

(b)(6) The type and weight or volume of solid waste received from each transporter.

Alternate Information Source

Daily operational record. § 297.261(b)(5).

Daily operational record. § 297.261(b)(1) and (3) require recording of waste received by amount and transporter, but not waste received by each transporter.

CHAPTER 299. STORAGE AND TRANSPORTATION OF RESIDUAL WASTE

§ 299.219(b) *Annual report.* Proposal is to delete this annual report requirement.

(b)(1) A summary of the types or classifications of residual wastes transported each month of the year by weight or volume and annual totals.

(b)(2) The name, mailing address, county and state of each generator of the transported waste, including the type or classification of the waste, and weight or volume of the waste.

(b)(3) The destination or facility to which the wastes were delivered by the name, mailing address, county, state, type or classification of the waste and the weight or volume of the waste.

Daily record. § 299.219(a)(2). Annual totals would not appear on the daily record.

Daily record. § 299.219(a)(1), (2) and (3) requires this information, but not by generator.

Daily record. § 299.219(a)(4). Identification of the quantity of waste delivered to a specific destination will no longer be required.

F. Benefits, Costs and Compliance

Executive Order 1996-1 requires a cost/benefit analysis of the proposed amendments.

*Benefits**Reporting Requirements*

The regulated community will benefit since the amount of information reported and the frequency will lessen—approximately 2,500 facilities completing 185,508 fewer pages of reports per year. The Department will benefit since only information maintained and submitted will be what is needed to administer the waste programs.

Plan Revisions

The counties, municipalities, waste facilities and the general public will benefit since the shorter plan revision process will allow counties to take advantage of competitive pricing in the waste management industry.

*Compliance Costs**Reporting Requirements*

The number of persons, groups or entities required to comply will not change from those currently regulated. There will be a significant reduction in the efforts required to comply. Because there are a variety of techniques to comply with these reporting requirements (completion by hand, computer, contractor, and the like) it is difficult to estimate costs or savings. The Department has asked for input on this specific question in the Preamble. It is known that the proposal will delete 15 forms formally required of 2,326 facilities.

Plan Revisions

All 67 Pennsylvania counties are required to prepare a county municipal waste management plan. Only those who will be revising their plan to add or delete a waste management facility will need to comply with the regulation. Since plan revisions are initiated by the county, it is not possible to estimate how many will be affected at any given time. Counties will realize a time saving in revising their plans which should translate into a cost savings because of fewer meetings and notices.

*Compliance Assistance Plan**Reporting Requirements*

Because these revisions do not add any new reporting requirements, no specific hearings or meetings are scheduled. To assist the public in its review of this proposal, the Department has prepared drafts of what the various report forms would look like. These draft forms are available through the contact persons listed in the Preamble, Section B or can be viewed on the Department World Wide Web site (<http://www.dep.state.pa.us>). To locate, select "INFORMATION BY ENVIRONMENTAL SUBJECT" and then select the MUNICIPAL AND RESIDUAL WASTE HOMEPAGE. No financial assistance appears to be needed and none will be offered.

Plan Revisions

The Department intends to conduct at least one State-wide meeting on county municipal waste planning. It will include this revision and others expected within the next year. Plan revision is an eligible expense under the Act 101, Section 901 planning grant program. Counties will be encouraged to consider submission of a grant application to cover plan revision expenses.

Entire Package

The Department intends to provide educational, technical and compliance assistance directly to interested parties through the regional offices, articles in its weekly Update newsletter, distribution of information through trade associations, and electronically by having all the report forms available on the Department's World Wide Web site.

*Paperwork Requirements**Reporting Requirements*

These proposed amendments eliminate duplicate data submission and reduce unnecessary or duplicative record-keeping requirements for the regulated community while maintaining environmental protection and public access to information. No additional forms or paperwork will be needed.

Plan Revisions

These proposed amendments will allow counties to add or delete a waste management facility to or from their county municipal waste management plan as a non-substantial plan revision. No additional forms or paperwork will be needed.

G. Sunset Review

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 4, 1997, the Department submitted a copy of the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department. A copy of this material is available to the public upon request.

If the Commission has objections to any portion of the proposed amendments, it will notify the Department within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for the Department, the Governor and the General Assembly to review these objections before final publication of the regulations.

I. Public Comments

Written comments. Interested persons are invited to submit comments, suggestions or objections regarding the proposed amendments to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by April 16, 1997 (within 60 days of publication in the *Pennsylvania Bulletin*). Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by April 16, 1997 (within 60 days following publication in the *Pennsylvania Bulletin*). The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulations will be considered.

Electronic Comments. Comments may be submitted electronically to the Board at RegComments@A1.dep.state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. Comments submitted electronically must also be received by the Board by April 16, 1997.

J. Public Hearing

The Board will hold a public hearing for the purpose of accepting comments on this proposal. The hearing will be held at 1 p.m. on the following date:

April 1, 1997: DEP, 1st Floor Meeting Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Persons wishing to present testimony at the hearing are requested to contact Nancy Roush at the Environmen-

tal Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Nancy Roush directly at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Chairperson

(Editor's Note: Sections 272.252 and 287.51 were amended at 27 Pa.B. 521 (January 25, 1997). These amendments will be codified in the April 1997 Pennsylvania Code Reporter (MTS 269).)

Fiscal Note: 7-304. No fiscal impact; (8) recommends adoption. These proposed amendments may result in minor cost savings to the Department. Cost savings may be realized from a reduction in administrative workload associated with the handling, storage and tracking of documents.

Annex A

**TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE VIII. MUNICIPAL WASTE

CHAPTER 271. MUNICIPAL WASTE MANAGEMENT—GENERAL PROVISIONS

Subchapter A. GENERAL

§ 271.4. Alternate data submission.

Data required under this article may be submitted electronically or on magnetic or optic storage media in a format specified by the Department, if authorized by the Department.

CHAPTER 272. MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION

Subchapter C. MUNICIPAL WASTE PLANNING PLAN REVISIONS

§ 272.252. Development of plan revisions.

* * * * *

(e) For purposes of this section, substantial plan revisions shall include, but not be limited to:

[(1) The designation of an additional resource recovery facility or municipal waste landfill.

(2)] (1) ***

[(3) The deletion of a designated resource recovery or disposal facility by a county. The deletion will not be considered a substantial revision if the deletion occurs as a result of failure to secure necessary contracts as long as adequate disposal capacity remains to implement the plan.

(4)] (2) ***

CHAPTER 273. MUNICIPAL WASTE LANDFILLS

**Subchapter C. OPERATING REQUIREMENTS
RECORDKEEPING AND REPORTING**

§ 273.311. Daily operational records.

* * * * *

(b) The daily operational record [, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 273.313. Annual operation report.

* * * * *

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

[(1) The weight or volume of each type of solid waste received.

(2) The type and weight or volume of solid waste received from each county in which the waste originated or, if the waste originated outside this Commonwealth, the state.

(3) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(4)] (1) A topographic survey map of the same scale, contour interval and grid system as the original site plans showing the following:

* * * * *

[(ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii)] (ii) ***

[(iv) Erosion and sedimentation control structures and devices.

(v) Leachate storage or treatment facilities, or both.

(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas.

(5)] (2) ***

[(6)] (3) ***

[(7)] (4) ***

[(8)] (5) ***

[(9)] (6) ***

[(10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.

(11) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will occur in the next year.

(12) An analysis of special handling or residual waste received at the facility in the previous year.

(13)] (7) ***

[(14)] (8) Certification that the operator has received [the analysis or certification] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste received at the facility[, and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit] during the calendar year.

[(15) Documentation identifying the counties that have used the facility during the past year and that have provided for the use of the facility in the coming year pursuant to county municipal waste management plans.]

* * * * *

**CHAPTER 277. CONSTRUCTION/DEMOLITION
WASTE LANDFILLS**

**Subchapter C. OPERATING REQUIREMENTS
RECORDKEEPING AND REPORTING**

§ 277.311. Daily operational records.

* * * * *

(b) The daily operational record[which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 277.312. Annual operation report.

* * * * *

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

[(1) The weight or volume of the types of solid waste received.

(2) The type and weight or volume of solid waste received from each county in which the waste originated or, if the waste originated outside this Commonwealth, the state

(3) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(4)] (1) ***

* * * * *

[(ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii)](ii) ***

[(iv) Erosion and sedimentation control structures and devices.

(v) Leachate storage or treatment facilities, or both.

(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas.

(5)] (2) ***

[(6)] (3) ***

[(7)] (4) ***

[(8)] (5) ***

[(9)] (6) ***

[(10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.

(11) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will occur in the next year.]

[(12)] (7) ***

[(13)] (8) Certification that the operator has received [the analysis or certification] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste received at the facility [, and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit] during the calendar year.

* * * * *

CHAPTER 279. TRANSFER FACILITIES

Subchapter C. OPERATING REQUIREMENTS FOR TRANSFER FACILITIES

RECORDKEEPING AND REPORTING

§ 279.251. Daily operational records.

* * * * *

(b) The daily operational record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 279.252. Annual operation report.

* * * * *

(b) The annual operating report, which shall be submitted on a form supplied by the Department, shall include the following:

[(1) The weight or volume of each type of solid waste received.

(2) The county in which the solid waste originated, or if the waste originated outside of this Commonwealth, the state.

(3) The transporters of the solid waste.

(4) The weight or volume of each material recycled or marketed.

(5) The destination of the solid waste, including the facility name, the county and state in which it is located and the type and weight or volume of waste transported.

(6)] (1) ***

[(7)] (2) ***

[(8)] (3) ***

[(9) A description of emergency disposal areas or methods approved by the Department and used by the operator which are not described in the approved design and operational plan or permit for the facility.

(10) An analysis of special handling waste received at the facility in the previous year.

(11)] (4) ***

[(12)] (5) ***

* * * * *

CHAPTER 281. COMPOSTING FACILITIES

Subchapter C. OPERATING REQUIREMENTS FOR GENERAL COMPOSTING FACILITIES

RECORDKEEPING AND REPORTING

§ 281.271. Daily operational records.

* * * * *

(b) The daily operational record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 281.272. Annual operation report.

* * * * *

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

* * * * *

[(2) The transporters of the waste.

(3)] (2) ***

[(4) The type and weight or volume of waste received from each transporter that delivered waste to the facility.

(5)] (3) ***

[(6)] (4) ***

[(7)] (5) ***

[(8)] (6) ***

[(9)] (7) ***

[(10)] (8) Certification that the operator has received [the analysis or certification] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste received at the facility[, and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit] during the calendar year.

* * * * *

CHAPTER 283. RESOURCE RECOVERY AND OTHER PROCESSING FACILITIES

Subchapter C. OPERATING REQUIREMENTS RECORDKEEPING AND REPORTING

§ 283.261. Daily operational records.

* * * * *

(b) The daily operational record [, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 283.262. Annual operation report.

* * * * *

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

[(1) The weight or volume of each type of solid waste received.

(2) The county in which the solid waste originated, or if the waste originated outside of this Commonwealth, the state.

(3) The transporters of the solid waste.

(4) The weight or volume of each material recycled or marketed as a result of the process.

(5) For bypassed wastes and waste products, the name and county or state of the facility where the solid waste is ultimately disposed.

(6) A description of handling problems or emergency disposal activities.

(7) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(8)] (1) ***

[(9)] (2) ***

[(10)] (3) ***

[(11) A description of emergency disposal areas or methods approved by the Department and used by the operator which are not described in the approved design and operational plan or permit for the facility.

(12) An analysis of special handling waste received at the facility in the previous year.

(13)] (4) ***

[(14)] (5) Certification that the operator has received [the analysis or certification] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste that is received at the facility [, and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit] during the calendar year.

* * * * *

CHAPTER 285. STORAGE, COLLECTION AND TRANSPORTATION OF MUNICIPAL WASTE

Subchapter B. COLLECTION AND TRANSPORTATION OF MUNICIPAL WASTE
GENERAL PROVISIONS

§ 285.217. Recordkeeping.

(a) General. A person or municipality that collects [and] or transports municipal waste shall keep records

that include, at a minimum, quantities of waste collected, municipalities served and the facility to which the waste was delivered. The records shall be made available to the Department upon request, and shall be retained for at least 5 years.

(b) Report required. A collection [and] or transportation vehicle for waste other than infectious and chemotherapeutic waste shall have a report in the cab that includes the following:

* * * * *

Subchapter C. TRANSPORTER LICENSING FOR INFECTIOUS AND CHEMOTHERAPEUTIC WASTE
OPERATIONAL REQUIREMENTS

§ 285.334. Annual report.

* * * * *

(b) The annual report shall be based on the shipments of infectious or chemotherapeutic waste during the previous calendar year, and shall include the following:

[(1) The name, mailing address and telephone number for each generator from whom the transporter accepted infectious or chemotherapeutic waste.

(2)] (1) ***

[(3) The State manifest document number, if applicable, for each shipment of infectious or chemotherapeutic waste transported by the transporter to or from locations within this Commonwealth.

(4)] (2) ***

[(5)] (3) When more than one transporter is used to transport a single shipment of infectious or chemotherapeutic waste from the generator to the processing or disposal facility, [the name, mailing address, telephone number and, if applicable, a Department-issued infectious or chemotherapeutic waste license number for each transporter] only the first transporter shall be required to submit information for that shipment on the annual report.

ARTICLE IX. RESIDUAL WASTE

CHAPTER 287. RESIDUAL WASTE MANAGEMENT—GENERAL PROVISIONS

Subchapter B. DUTIES OF GENERATORS

§ 287.51. Scope.

(a) This subchapter contains requirements that are directly applicable to persons or municipalities that generate more than an average of 2,200 pounds of residual waste per generating location [in any single] per month [of] based on generation in the previous year. The Department may waive or modify the requirements of this section for individual types of waste that are generated in quantities of less than 2,200 pounds per month per generating location.

* * * * *

CHAPTER 288. RESIDUAL WASTE LANDFILLS

Subchapter C. OPERATING REQUIREMENTS
RECORDKEEPING AND REPORTING

§ 288.281. Daily operational records.

* * * * *

(b) The daily operational record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(8) For noncaptive facilities, the following:

* * * * *

(iii) An analysis of the quality and quantity of leachate flowing from the landfill into the leachate storage and treatment system.

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 288.282. [Quarterly operation report] (Reserved).

[(a) An operator of a noncaptive facility that is not a monofill shall submit to the Department a quarterly report. The report shall be submitted on or before the 20th day of April, July, October and January for the 3 months ending the last day of March, June, September and December. The report shall be submitted on forms supplied by the Department.

(b) The quarterly operational report shall include the following:

(1) The type and weight or volume of solid waste received in each month of the reported quarter.

(2) For noncaptive facilities, the name, mailing address, county and state of each generator of residual waste.

(3) An analysis of the quality and quantity of leachate flowing from the landfill into the leachate storage and treatment system.]

§ 288.283. Annual operation report.

* * * * *

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

* * * * *

(2) Unless otherwise provided by the Department in writing, a topographic survey map of the same scale, contour interval and grid system as the original site plans showing the following:

* * * * *

[(ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii)] (ii) ***

[(iv) Erosion and sedimentation control structures and devices.

(v) Leachate storage or treatment facilities, or both.

(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas.]

(3) A [volumetric] calculation of capacity used in the previous year and remaining permitted capacity.

* * * * *

(11) For noncaptive facilities, the [following apply:

(i) The] type and weight or volume of solid waste received from each generator, including the name, mailing address, county and state of each generator.

[(ii) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.]

* * * * *

CHAPTER 289. RESIDUAL WASTE DISPOSAL IMPOUNDMENTS

Subchapter C. OPERATING REQUIREMENTS RECORDKEEPING AND REPORTING

§ 289.301. Daily operational records.

* * * * *

(b) The daily operational record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 289.303. Annual operation report.

* * * * *

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following information:

* * * * *

[(2) Unless otherwise provided by the Department in writing, a topographic survey map of the same scale, contour interval and grid system as the original site plans showing the following:

(i) The contours at the beginning and the end of the year.

(ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii) The completed areas of the site as well as areas partially filled but not active during the previous years.

(iv) Erosion and sedimentation control structures and devices.

(v) The location of treatment facilities.

(vi) Property lines, boundaries of permitted disposal areas and boundaries of lined areas.

(3)] (2) ***

[(4)] (3) ***

[(5)] (4) ***

[(6)] (5) ***

[(7)] (6) ***

[(8) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will be occurring the next year.

(9)] (7) ***

[(10)] (8) Certificaton that the operator has received the analysis or certification required by § 287.54 (relating

to chemical analysis of waste) for each type of residual waste [or special handling waste] received at the facility, and that the residual waste [or special handling waste] that is received at the facility meets the conditions in the facility's permit.

[(11)] (9) For noncaptive facilities, the [following:

(i) The] type and weight or volume of solid waste received from each generator, including the name, mailing address, county and state of each generator.

[(ii) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.]

* * * * *

CHAPTER 291. LAND APPLICATION OF RESIDUAL WASTE

Subchapter C. GENERAL OPERATING REQUIREMENTS FOR THE LAND APPLICATION OF RESIDUAL WASTE

RECORDKEEPING AND REPORTING

§ 291.221. Daily operational records.

* * * * *

(b) The daily operational record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond or longer if directed by the Department. These records shall be made available to the Department upon request.

CHAPTER 293. TRANSFER FACILITIES FOR RESIDUAL WASTE

Subchapter C. OPERATING REQUIREMENTS FOR TRANSFER FACILITIES

RECORDKEEPING AND REPORTING

§ 293.251. Daily operational records.

* * * * *

(b) The daily operational record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 293.252. Annual operation report.

* * * * *

(b) The annual operating report, which shall be submitted on a form supplied by the Department, shall include the following:

* * * * *

[(2) The type and weight or volume of solid waste received from each generator, including the name, mailing address, county and the state of each generator.

(3) The transporters of the solid waste.

(4)] (2) ***

[(5)] (3) ***

[(6)] (4) ***

[(7)] (5) ***

[(8)] (6) ***

[(9)] (7) ***

[(10)] (8) ***

* * * * *

CHAPTER 295. COMPOSTING FACILITIES FOR RESIDUAL WASTE

Subchapter C. OPERATING REQUIREMENTS FOR COMPOSTING FACILITIES

RECORDKEEPING AND REPORTING

§ 295.271. Daily operational records.

(a) A person or municipality that operates a composting facility shall make and maintain an operational record for each day that residual waste is received, processed or transported offsite. Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

(b) The daily operation record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

[(4) The weight or volume or each material used, reclaimed, marketed or disposed of as a result of the process.

(5) A record of deviation from the approved design or operational plans.

(6)] (4) ***

[(7)] (5) ***

* * * * *

§ 295.272. Annual operation report.

* * * * *

(b) The annual report, which shall be submitted on a form supplied by the Department, shall include the following:

* * * * *

[(4) The type and weight or volume of waste received from each transporter that delivered waste to the facility.

(5)] (4) ***

[(6)] (5) ***

[(7)] (6) ***

[(8)] (7) ***

[(9)] (8) ***

[(10)] (9) ***

* * * * *

CHAPTER 297. INCINERATORS AND OTHER PROCESSING FACILITIES

Subchapter C. OPERATING REQUIREMENTS FOR PROCESSING FACILITIES

RECORDKEEPING AND REPORTING

§ 297.261. Daily operational records.

* * * * *

(b) The daily operational record[, which shall be recorded on a form supplied by the Department,] shall include the following:

* * * * *

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 297.262. Annual operation report.

* * * * *

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

* * * * *

[(3) The transporters of the solid waste.

(4) (3) The weight or volume of each material [used, reclaimed or] marketed or disposed as a result of the process.

(5) The name, county and state of the facility where bypass wastes and waste products are ultimately disposed.

(6) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.]

[(7)] (4) ***

[(8)] (5) ***

[(9)] (6) ***

[(10)] (7) ***

[(11)] (8) ***

* * * * *

CHAPTER 299. STORAGE AND TRANSPORTATION OF RESIDUAL WASTE

Subchapter B. STANDARDS FOR COLLECTING AND TRANSPORTING OF RESIDUAL WASTE

GENERAL PROVISIONS

§ 299.219. Recordkeeping and reporting.

(a) A person or municipality that transports residual waste shall make and maintain an operational record each day that residual waste is collected or transported, or both. The daily operational record shall [be recorded on a form supplied by the Department, and shall] be kept in the cab of each transportation vehicle on the date of collection or transportation. The record shall include the following:

* * * * *

(b) [A person or municipality that transports residual waste shall submit to the Department an annual report. The report shall be submitted on or before March 1 of each year for the previous calendar year. The report shall be submitted on forms supplied by the Department. The annual operational report shall include the following:

(1) A summary of the types or classifications of residual wastes transported each month of the year by weight or volume and annual totals.

(2) The name, mailing address, county and state of each generator of the transported waste, including the type or classification of the waste, and weight or volume of the waste.

(3) The destination or facility to which the wastes were delivered by the name, mailing address, county, state, type or classification of the waste and the weight or volume of the waste.] A person or municipality shall retain the daily operational record for a specified period of time if requested by the Department in writing.

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