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UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

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STATEMENT OF  
HENRY ESCHWEGE, DIRECTOR  
COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION

BEFORE THE  
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS *HSE02305*  
OF THE  
HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

ON

[ENVIRONMENTAL PROTECTION AGENCY AND STATE HAZARDOUS  
WASTE MANAGEMENT PROGRAMS]

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

WE ARE HERE TODAY AT YOUR INVITATION TO DISCUSS EFFORTS  
BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AND THE STATES  
*AGC00024*  
TO SAFEGUARD THE PUBLIC HEALTH AND THE ENVIRONMENT BY  
CARRYING OUT THE HAZARDOUS WASTE REQUIREMENTS OF THE RESOURCE  
CONSERVATION AND RECOVERY ACT OF 1976. MY TESTIMONY WILL  
SUMMARIZE THE RESULTS OF OUR RECENTLY COMPLETED WORK WHICH  
RESULTED IN TWO GAO REPORTS, ("HOW TO DISPOSE OF HAZARDOUS  
WASTE--A SERIOUS QUESTION THAT NEEDS TO BE RESOLVED" CED-79-13,  
DATED DECEMBER 19, 1978, AND "HAZARDOUS WASTE MANAGEMENT  
PROGRAMS WILL NOT BE EFFECTIVE: GREATER EFFORTS ARE NEEDED"  
CED-79-14, DATED JANUARY 23, 1979). OTHER ASPECTS OF HAZARDOUS  
WASTE PROGRAM MANAGEMENT WILL ALSO BE SUMMARIZED.



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*Testimony*  
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WHAT IS HAZARDOUS WASTE?

HAZARDOUS WASTES ARE NUMEROUS AND WIDELY SCATTERED THROUGHOUT THE NATION. THEY INCLUDE WASTES FROM INDUSTRIAL PRODUCTION, INSTITUTIONS SUCH AS LABORATORIES AND HOSPITALS, AND FROM FEDERAL GOVERNMENT ACTIVITIES AND AGRICULTURAL CHEMICAL RESIDUES. SPECIFICALLY, HAZARDOUS WASTES INCLUDE ACIDS; FLAMMABLES; EXPLOSIVES; SUSPECTED CANCER AND OTHER DISEASE-CAUSING WASTES; AND TOXIC CHEMICALS, SUCH AS ARSENIC, CYANIDE, DDT, AND PCB'S.

ACCORDING TO EPA, THE UNITED STATES WILL GENERATE AN ESTIMATED 56 MILLION METRIC TONS OF HAZARDOUS WASTE ANNUALLY BY 1980--EXCLUDING NUCLEAR WASTES--OF WHICH ABOUT 60 PERCENT WILL COME FROM INDUSTRIAL SOURCES, SUCH AS CHEMICAL FIRMS.

HAZARDOUS WASTE PROBLEMS ACKNOWLEDGED

THE STORAGE AND DISPOSAL OF HAZARDOUS WASTE WAS ACKNOWLEDGED BY THE CONGRESS AS A PROBLEM OF GRAVE NATIONAL CONCERN WITH THE PASSAGE OF THE RESOURCE RECOVERY ACT OF 1970. SUBSEQUENTLY, WITH THE ENACTMENT OF THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, THE CONGRESS REQUIRED EPA TO ESTABLISH A REGULATORY PROGRAM TO MANAGE HAZARDOUS WASTES FROM "CRADLE TO GRAVE." STATE GOVERNMENTS HOWEVER, MAY ASSUME RESPONSIBILITY FOR DEVELOPING AND IMPLEMENTING THEIR OWN HAZARDOUS WASTE CONTROL PROGRAMS.

WE ASSESSED HAZARDOUS WASTE PROGRAMS AT THE 26 STATES WHICH WILL PRODUCE ABOUT 85 PERCENT OF THE NATION'S WASTE VOLUME BY 1980. OUR WORK COVERED ALL 10 EPA REGIONAL OFFICES.

CURRENT STATE PROGRAMS TO MANAGE HAZARDOUS WASTES ARE NOT ADEQUATE TO ASSURE EFFECTIVE AND TIMELY IMPLEMENTATION OF THE ACT BECAUSE OF A LACK OF FEDERAL AND STATE FUNDS AND STAFF. ANOTHER FACTOR WHICH WILL IMPEDE THE EFFECTIVE MANAGEMENT OF HAZARDOUS WASTES IS THE SHORTAGE OF TREATMENT AND DISPOSAL FACILITIES TO SAFELY HANDLE THE WASTES REGULATED. WE BELIEVE THAT IN TIME THIS SHORTAGE WILL BECOME EVEN MORE ACUTE.

BECAUSE EPA, IN CONSULTATION WITH THE STATES, HAS NOT DEFINED WHAT IS A HAZARDOUS WASTE UNDER THE ACT, THE VOLUME TO BE CONTROLLED IS AT BEST A ROUGH ESTIMATE. NONE OF THE STATES WE VISITED WERE FULLY AWARE OF THE VOLUME OF HAZARDOUS WASTES BEING GENERATED IN THEIR STATES, AND NONE COULD ADEQUATELY ACCOUNT FOR THE DISPOSITION OF THESE WASTES. FOR EXAMPLE, EPA ESTIMATED THE VOLUME OF HAZARDOUS WASTE PRODUCED IN ONE STATE AT 3.6 MILLION TONS ANNUALLY WHILE THE STATE ESTIMATED 8.5 MILLION TONS ANNUALLY. AT ANOTHER STATE, EPA ESTIMATED 3.8 MILLION TONS ANNUALLY WHILE THE STATE ESTIMATED 20 MILLION TONS ANNUALLY.

## CONTROL AND DISPOSAL OF HAZARDOUS WASTES

MOST STATES RECOGNIZED THE NEED TO CONTROL THE HANDLING AND DISPOSAL OF HAZARDOUS WASTE AND WERE TRYING TO DO SOMETHING ABOUT IT. HOWEVER, OF THE 26 STATES, THE PROGRAMS OF ALL BUT 2--CALIFORNIA AND TEXAS--WERE IN THE EARLY STAGES OF DEVELOPMENT OR WERE INOPERABLE. NONE OF THE STATES HAD FULLY IDENTIFIED WASTE GENERATORS WITHIN THEIR JURISDICTIONS AND NONE HAD ADEQUATE ENFORCEMENT PROGRAMS FOR EVEN THE LIMITED CONTROLS THAT EXISTED.

STATES NEED BROADER LEGISLATIVE AUTHORITY BEFORE THEIR STATE HAZARDOUS WASTE PROGRAMS CAN BE PROPERLY IMPLEMENTED. ALTHOUGH MOST STATES HAVE SOME PROVISIONS IN STATE LAWS OR REGULATIONS FOR HAZARDOUS WASTE CONTROL, AS OF NOVEMBER 1978, ONLY 17 OF THE STATES HAD ENACTED SPECIFIC IMPLEMENTING LEGISLATION FOR THE MANAGEMENT OF HAZARDOUS, INDUSTRIAL, OR SPECIAL WASTES. SOME OF THE STATES WITH THE GREATEST VOLUMES OF HAZARDOUS WASTE LACKED IMPLEMENTING LEGISLATION. ONLY 13 STATES HAD SOME TYPE OF REGULATIONS FOR HAZARDOUS WASTE CONTROL. STATES SUCH AS MICHIGAN AND LOUISIANA WHICH HAD SIGNIFICANT QUANTITIES OF HAZARDOUS WASTE LACKED BOTH LEGISLATION AND IMPLEMENTING REGULATIONS.

FOR FISCAL YEAR 1978, NONE OF THE STATES CONTACTED HAD SUFFICIENT STAFF OR FUNDING TO DEVELOP AND OPERATE A HAZARDOUS WASTE PROGRAM THAT WOULD MEET THE REQUIREMENTS OF THE ACT. ALTHOUGH STAFFS TOTTALLING 180--RANGING FROM 1 TO 32--WERE AVAILABLE AT THE 26 STATES CONTACTED, THESE STATES ESTIMATED THAT 594 STAFF MEMBERS WERE NEEDED-- ABOUT A 230 PERCENT INCREASE. ABOUT \$5.1 MILLION IN FUNDING WAS AVAILABLE TO THE 26 STATES DURING FISCAL YEAR 1978, ALTHOUGH THEY ESTIMATED AN ADDITIONAL \$9.3 MILLION WAS NEEDED.

IN ITS DECEMBER 1977 STRATEGY FOR IMPLEMENTING THE ACT, EPA STATED THAT ITS REGIONAL OFFICES WILL BE THE FOCAL POINT FOR ASSISTING THE STATES IN DEVELOPING HAZARDOUS WASTE REGULATORY PROGRAMS, MONITORING STATE PROGRESS, AND ASSURING THAT APPLICATIONS FOR PROGRAM FUNDS WERE PROPER AND ADEQUATE. EPA OFFICIALS IN ALL 10 REGIONS ACKNOWLEDGED, HOWEVER, THAT THEY DID NOT HAVE THE STAFF TO CARRY OUT THESE RESPONSIBILITIES. ONE REGIONAL OFFICIAL STATED HE NEEDED A STAFF OF SIX PERSONS BUT ONLY HAD ONE. OFFICIALS IN FOUR OTHER REGIONS SAID THEY WOULD NEED FROM FIVE TO SEVEN TIMES THEIR PRESENT STAFF LEVELS WHICH TOTALED 5 PEOPLE.

## HAZARDOUS WASTE PROGRAM RESPONSIBILITY

THE ACT ALLOWS THE STATES TO ASSUME RESPONSIBILITY FOR HAZARDOUS WASTE PROGRAMS IF THEIR PROGRAMS RECEIVE EPA APPROVAL AS BEING EQUIVALENT TO THE FEDERAL PROGRAM, CONSISTENT WITH OTHER FEDERAL AND STATE PROGRAMS, AND ADEQUATELY ENFORCED. WHERE A STATE CANNOT OR WILL NOT OPERATE SUCH A PROGRAM, EPA IS REQUIRED TO OPERATE THAT STATE'S PROGRAM. THE DECISION AS TO WHETHER A STATE WILL ASSUME THIS RESPONSIBILITY LARGELY HINGES ON CONTINUED FEDERAL PROGRAM SUPPORT AND FUNDING. IN THIS REGARD, 16 OF THE 26 STATES WE CONTACTED SAID THEY MAY NOT OPERATE THE PROGRAM UNLESS SUCH SUPPORT WAS ASSURED.

STATES MAY RECEIVE INTERIM AUTHORIZATION, HOWEVER, IF THEIR PROGRAMS ARE SUBSTANTIALLY EQUIVALENT TO THE FEDERAL PROGRAM. EPA REGIONAL OFFICIALS BELIEVE MOST STATES DO NOT HAVE THE STAFF TO OPERATE EVEN SUBSTANTIALLY EQUIVALENT PROGRAMS.

### FUNDING LEVELS ARE INADEQUATE

THE STATES HAVE EXPRESSED A NEED FOR FUNDING TO DEVELOP, IMPLEMENT, AND IMPROVE STATE HAZARDOUS WASTE PROGRAMS. THE CONGRESS ITSELF HAS RECOGNIZED THAT THE STATES WOULD NEED FINANCIAL ASSISTANCE AND AUTHORIZED \$25 MILLION FOR EACH OF

FISCAL YEARS 1978 AND 1979. FOR FISCAL YEAR 1978, CONGRESS WAS NOT ASKED TO PROVIDE FUNDING, ALTHOUGH ABOUT \$14.3 MILLION WAS MADE AVAILABLE TO THE STATES FROM FUNDS EARMARKED FOR SOLID WASTE. FOR FISCAL YEAR 1979, \$15 MILLION WAS REQUESTED AND APPROPRIATED--OR 60 PERCENT OF THE FUNDS AUTHORIZED. FOR FISCAL YEAR 1980, EPA HAS ASKED FOR \$18.6 MILLION.

WITHOUT AN ADEQUATE COMMITMENT OF RESOURCES, EFFECTIVE MANAGEMENT OF HAZARDOUS WASTES CANNOT BE REALIZED. IF THE CONGRESS AND THE STATE LEGISLATURES DO NOT PROVIDE ADEQUATE FINANCIAL ASSISTANCE OR IF OTHER FUNDING SOURCES ARE NOT DEVELOPED IT IS UNLIKELY THAT HAZARDOUS WASTE PROGRAMS WILL EVER BE EFFECTIVELY IMPLEMENTED.

THE ONLY ALTERNATIVE FUNDING SOURCE WOULD SEEM TO BE A FEE SYSTEM WHERE A CHARGE IS IMPOSED ON THE DISPOSER AND TRANSFERRED TO THE STATE TO SUPPORT PROGRAM OPERATING COSTS. ALTHOUGH SUCH FEE SYSTEMS MIGHT BE A VIABLE ALTERNATIVE FOR SUPPORTING STATE PROGRAMS, THEY WERE ONLY BEING USED BY CALIFORNIA AND MARYLAND AT THE TIME OF OUR REVIEW. OTHER STATES, HOWEVER, ARE CURRENTLY CONSIDERING THEIR USE.

LIMITS AND DEMANDS ON THE NATION'S  
DISPOSAL CAPACITY

THE QUESTION OF WHAT TO DO WITH HAZARDOUS WASTES IS ALSO A SERIOUS PROBLEM WHICH NEEDS TO BE ADDRESSED BEFORE

THE ACT CAN BE FULLY IMPLEMENTED. EPA STUDIES AS WELL AS OUR OWN DISCUSSIONS WITH STATE AND DISPOSAL INDUSTRY OFFICIALS SHOWED THAT PUBLIC OPPOSITION TO THE SITING OF FACILITIES IS A MAJOR CONSTRAINT TO EXPANDING THE NATION'S DISPOSAL CAPACITY. ACCORDING TO EPA, STATES WITH SYSTEMS FOR GRANTING PERMITS TO DISPOSAL FACILITIES ARE REPORTING DIFFICULTIES IN ESTABLISHING FACILITIES BECAUSE OF LOCAL OPPOSITION.

DISPOSAL PROBLEMS BECAUSE OF LIMITED DISPOSAL CAPACITY ARE LIKELY TO INCREASE IN THE FUTURE, BECAUSE (1) EACH DAY ADDITIONAL WASTES ARE FOUND TO BE HAZARDOUS, (2) WASTES STORED OR DISPOSED OF EARLIER IN AN ENVIRONMENTALLY UNSOUND MANNER MAY NOW REQUIRE PROPER DISPOSAL, AND (3) CERTAIN TYPES OF WASTES CURRENTLY BEING DISPOSED OF ON INDUSTRY PROPERTY IN THE FUTURE MAY BE DISPOSED OF AT OFFSITE FACILITIES. AT THE SAME TIME, TECHNICAL AND OTHER PROBLEMS CONTINUE TO PREVENT ANY APPRECIABLE REDUCTION IN THE VOLUME OF HAZARDOUS WASTE REQUIRING DISPOSAL.

PAST DISPOSAL PRACTICES THREATEN  
PUBLIC HEALTH AND THE ENVIRONMENT

MANY CLOSED OR ABANDONED DISPOSAL SITES, AS WELL AS ACTIVE SITES, THREATEN PUBLIC HEALTH AND THE ENVIRONMENT. TO DATE, LITTLE HAS BEEN DONE TO IDENTIFY THE SITES AND CLEAN UP THE DAMAGE OR TO PREVENT FURTHER CONTAMINATION BECAUSE

FUNDS ARE NOT AVAILABLE EITHER FROM FACILITY OWNERS OR THE STATE AND LOCAL GOVERNMENTS.

IN NOVEMBER 1978, EPA DISCLOSED THAT OF AN ESTIMATED 32,254 SITES CONTAINING HAZARDOUS WASTE, 838 MAY CONTAIN SIGNIFICANT QUANTITIES OF WASTE AND COULD CAUSE A SIGNIFICANT IMMINENT HAZARD TO PUBLIC HEALTH. (MORE RECENT ESTIMATES HAVE SET THE TOTAL NUMBER OF SITES CONTAINING HAZARDOUS WASTE AT 51,000.) AT CONGRESSMAN GORE'S REQUEST, WE MADE INQUIRIES AT EPA'S REGIONAL OFFICES TO CONFIRM THE MANNER IN WHICH THIS ASSESSMENT WAS MADE. WE CONCLUDED THAT THE 838 DISPOSAL SITE FIGURE IS NOT AN ACCURATE OR COMPLETE ESTIMATE AND DOES NOT CORRECTLY IDENTIFY THOSE SITES THAT ARE MOST IN NEED OF CORRECTIVE ACTION.

WE FOUND THAT EPA'S REGIONAL OFFICES DEVELOPED THE ESTIMATES ON THE BASIS OF EXISTING OR EASILY OBTAINABLE INFORMATION USING VARIOUS ASSUMPTIONS. FOR EXAMPLE, IN PROVIDING THE TOTAL NUMBER OF SITES CONTAINING HAZARDOUS WASTES, ONE REGION ESTIMATED THAT ONE-THIRD OF ALL ACTIVE MUNICIPAL SOLID WASTE DISPOSAL SITES IN THE REGION WOULD CONTAIN HAZARDOUS WASTES, WHILE ANOTHER REGION PROVIDED ONLY THE NUMBER OF SITES CONTAINING LARGE QUANTITIES OF HAZARDOUS WASTE AND HAVING A NEGATIVE IMPACT ON PUBLIC HEALTH OR THE ENVIRONMENT.

IN ESTIMATING THE NUMBER OF SITES WHICH MAY CONTAIN SIGNIFICANT QUANTITIES OF HAZARDOUS WASTES WHICH COULD CAUSE SIGNIFICANT IMMINENT HAZARD TO PUBLIC HEALTH, ONE REGION PROVIDED A LISTING OF ALL SITES ON WHICH IT HAD INFORMATION-- A TOTAL OF 12--WHILE ANOTHER SOLICITED INPUT FROM THE VARIOUS STATES IN THE REGION WITHOUT, HOWEVER, STIPULATING THE ASSUMPTIONS ON WHICH THE STATES WERE TO MAKE THEIR ESTIMATES. A THIRD REGION MADE ITS ESTIMATE AS AN ARBITRARY PERCENTAGE OF TOTAL ESTIMATED SITES IN THE REGION. TWO REGIONS OFFERED NO ESTIMATE, CITING A COMPLETE LACK OF INFORMATION.

WITH THE COMPLETION OF THESE ESTIMATES, EPA CONTRACTED FOR A STUDY TO ASSESS THE POTENTIAL COSTS FOR CLEANUP OF MISMANAGED HAZARDOUS AND RADIOACTIVE WASTE DISPOSAL SITES. THE CONTRACTOR SELECTED 232 DUMP SITES FOR REVIEW OF WHICH 24 DUMP SITES WERE SELECTED FOR DETAILED EXAMINATION. THE SELECTION WAS MADE BASED ON INFORMATION PROVIDED BY EPA AND DATA AVAILABLE IN THE CONTRACTOR'S FILES. DUE TO THE MANY UNCERTAINTIES THAT EXIST, IT WAS CONCLUDED THAT AN EXACT FIGURE COULD NOT BE SET FOR THE MITIGATION OF THE HAZARDOUS WASTE PROBLEM. NATIONWIDE PROJECTIONS WERE PROVIDED, HOWEVER, SHOWING THAT \$6 BILLION WOULD BE NEEDED TO PREVENT EXISTING PROBLEMS FROM BECOMING WORSE, AND THAT \$44 BILLION WOULD BE REQUIRED TO COMPLETELY OVERCOME THE HAZARDOUS WASTE PROBLEM.

OVERALL, WE CONCLUDED THAT AT THE PRESENT TIME INFORMATION AVAILABLE AT THE FEDERAL AND STATE LEVEL IS INADEQUATE TO DETERMINE (1) THE NUMBER OF HAZARDOUS WASTE SITES, (2) THE NUMBER OF SITES POSING A THREAT TO PUBLIC HEALTH OR THE ENVIRONMENT, AND (3) THE COSTS THAT MAY BE INVOLVED IN CORRECTING THE PROBLEMS.

#### OTHER GAO WORK

WE RECENTLY ISSUED TWO OTHER REPORTS IN THE SOLID-HAZARDOUS WASTE DISPOSAL AREA. THE FIRST REPORT TO THE EPA ADMINISTRATOR, DATED APRIL 5, 1979, DEALT WITH THE DISPOSAL OF INFECTIOUS WASTES. WE CONCLUDED THAT EPA'S PROPOSED REGULATIONS FOR THE DISPOSAL OF SUCH WASTES FROM HOSPITALS ARE MORE STRINGENT THAN NECESSARY TO PROTECT THE PUBLIC HEALTH AND ENVIRONMENT. THE SECOND REPORT, "CODISPOSAL OF GARBAGE AND SEWAGE SLUDGE--A PROMISING SOLUTION TO TWO PROBLEMS" CED-79-59, DATED MAY 16, 1979, STATES THAT EPA SHOULD ENCOURAGE THE COMBINED DISPOSAL OF MUNICIPAL GARBAGE AND SEWAGE SLUDGE BY THERMAL TECHNIQUES. THIS PROCESS SIGNIFICANTLY REDUCES THE AMOUNT OF SUCH WASTES TO BE DISPOSED OF ON THE LAND.

#### CONCLUSIONS

THE PROBLEM OF WHAT TO DO WITH HAZARDOUS WASTE IS GROWING. HAZARDOUS WASTE MUST BE TREATED AND DISPOSED OF SOMEWHERE. WITHOUT AN ADEQUATE NATIONAL, ENVIRONMENTALLY SOUND DISPOSAL AND TREATMENT CAPACITY, THE INTENT OF THE ACT <sup>legislation</sup>

TO ENSURE PUBLIC HEALTH AND THE ENVIRONMENT CANNOT BE ACHIEVED. A MORE ACTIVE FEDERAL AND STATE ROLE IS NECESSARY TO ASSURE THAT FACILITIES WILL BE AVAILABLE TO HANDLE THE WASTES GENERATED. / FEDERAL, STATE, AND LOCAL OFFICIALS MUST RECOGNIZE THAT SUITABLE FACILITIES ARE ESSENTIAL AND THAT SOME OF THE ALTERNATIVES FOR PROVIDING THESE FACILITIES, SUCH AS PRE-EMPTING LOCAL AUTHORITY AND SITING FACILITIES ON PUBLIC LANDS, WILL BE UNPOPULAR.

/ CURRENTLY, ~~HOWEVER~~, NEITHER EPA NOR THE STATES HAVE THE RESOURCES NECESSARY TO OPERATE AND MANAGE PROGRAMS FOR THE CONTROL OF HAZARDOUS WASTE DISPOSAL. THE FUNDING AUTHORIZED AND NEEDED FOR PROGRAM IMPLEMENTATION HAS NOT BEEN APPROPRIATED AND EPA HAS NOT BEEN ABLE TO PROVIDE THE FINANCIAL AND TECHNICAL ASSISTANCE PROMISED TO THE STATES. / WITHOUT SUCH ASSISTANCE, MANY STATES HAVE INDICATED THEY WILL NOT ACCEPT RESPONSIBILITY FOR IMPLEMENTING THE ACT.

/ LONG-TERM FUNDING IS NEEDED AND THERE ARE NO CURRENT PROVISIONS IN THE ACT <sup>regulation</sup> FOR EPA ADMINISTRATIVE COSTS OR FOR EPA GRANTS TO THE STATES AFTER FISCAL YEAR 1979. / ALTHOUGH THE CONGRESS IS CURRENTLY CONSIDERING AN EXTENSION. ONE ALTERNATIVE IS TO DEVELOP SELF-SUPPORTING PROGRAMS, SUCH AS FEE SYSTEMS, TO ENCOURAGE THE STATES TO ACCEPT PROGRAM RESPONSIBILITIES AND REDUCE DEPENDENCY ON FEDERAL FUNDING.

FINALLY, NO ADEQUATE ASSESSMENT HAS BEEN MADE OF THE NUMBER AND LOCATION OF EXISTING AND CLOSED SITES CURRENTLY THREATENING THE PUBLIC HEALTH AND THE ENVIRONMENT. THE PROBLEM OF ENVIRONMENTAL CLEANUP BECAUSE OF PAST DISPOSAL PRACTICES HAS NOT BEEN RESOLVED AND EMERGENCIES SUCH AS AT ~~THE LOVE CANAL IN NEW YORK~~ WILL CONTINUE TO OCCUR IN THE FUTURE EVEN WHEN THE ACT IS FULLY IMPLEMENTED.

#### RECOMMENDATIONS

FUNDING HAZARDOUS WASTE PROGRAMS AND SITING DISPOSAL FACILITIES ARE THE TWO MOST PRESSING PROBLEMS WHICH MUST BE RESOLVED IF THE ACT IS TO BE EFFECTIVE IN PROTECTING THE PUBLIC HEALTH AND THE ENVIRONMENT. THE DEVELOPMENT OF FEE SYSTEMS AT THE FEDERAL AND STATE LEVELS WOULD HELP RESOLVE FUTURE FUNDING PROBLEMS.

WE HAVE RECOMMENDED THAT THE EPA ADMINISTRATOR:

- ENCOURAGE STATE GOVERNMENTS AND AGENCIES TO DEVELOP SELF-SUPPORTING FUNDING METHODS, SUCH AS FEE SYSTEMS, FOR OPERATING AND CARRYING OUT HAZARDOUS WASTE MANAGEMENT PROGRAMS WITHIN THEIR JURISDICTIONS.
- DEVELOP MODEL LEGISLATION FOR THE ESTABLISHMENT OF FEE SYSTEMS FOR USE BY THE STATES IN OBTAINING THE NECESSARY AUTHORIZATIONS FROM THEIR LEGISLATURES.

- CLOSELY MONITOR AND EVALUATE THE DEVELOPMENT OF STATE SOLID WASTE MANAGEMENT PLANS TO (1) IDENTIFY THE MAGNITUDE OF THE PROBLEM IN LOCATING SUITABLE DISPOSAL SITES AND (2) PROPOSE ALTERNATIVE SOLUTIONS INCLUDING, IF NECESSARY TO PROTECT NATIONAL INTERESTS, A STRONGER FEDERAL ROLE.
- PROPOSE LEGISLATION TO CREATE A SELF-SUSTAINING NATIONAL TRUST FUND, SUPPORTED BY FEES ASSESSED ON THE DISPOSAL OF HAZARDOUS WASTES, TO COVER POSTCLOSURE LIABILITY AND ANY NECESSARY REMEDIAL ACTIONS FOR CLOSED FACILITIES.
- REQUEST THAT THE CONGRESS AUTHORIZE AND APPROPRIATE THE FUNDING NEEDED FOR THE STATES TO DEVELOP AND IMPLEMENT HAZARDOUS WASTE PROGRAMS BEYOND THE FISCAL YEAR 1979 EXPIRATION DATE.
- REQUEST THAT THE ACT BE AMENDED TO ALLOW EPA TO INCLUDE A FEE SYSTEM TO COVER HAZARDOUS WASTE PROGRAM COSTS WHERE (1) A STATE CANNOT OR WILL NOT ASSUME RESPONSIBILITY FOR ITS PROGRAM AND (2) EPA IS REQUIRED BY THE ACT TO ASSUME RESPONSIBILITY FOR THE STATE'S PROGRAM.

EPA OFFICIALS WITH WHOM WE DISCUSSED OUR FINDINGS  
GENERALLY AGREED WITH OUR RECOMMENDATIONS.

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THIS COMPLETES MY PREPARED STATEMENT. MR. CHAIRMAN, WE  
SHALL BE GLAD TO RESPOND TO ANY QUESTIONS YOU OR OTHER MEMBERS  
OF THE SUBCOMMITTEE MAY HAVE.