

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

SEP 29 2010

Extension on Due Date for Response to Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act

Andrew M. Kenefick
Senior Legal Counsel, Western Group
Waste Management
801 Second Avenue, Suite 614
Seattle, WA 98104

Dear Mr. Kenefick:

In furtherance of the U. S. Environmental Protection Agency, Region IX ("EPA"), compliance evaluation of the Chemical Waste Management, Inc. ("CWM"), Kettleman Hills Facility ("KHF" or the "Facility"), EPA issued a request for information ("RFI"), pursuant to Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA") on July 23, 2010. With this letter, EPA is extending the due date for CWM to submit the documentation required by the RFI. As previously discussed, CWM will submit information responsive to the RFI to EPA in stages as CWM processes the information. Nevertheless, a complete response to the RFI is due to EPA on or before November 12, 2010.

Section 3008 of RCRA, 42 U.S.C. 6928, authorizes the initiation of a civil enforcement proceeding for failure to respond fully to the RFI. RCRA Section 3008 also authorizes criminal prosecution for knowingly making a false statement or omitting material information.

As previously stated, the July 23, 2010 RFI is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not a "collection of information" within the meaning of 44 U.S.C. §§3502(3), 3507, and 3512. See, also, 5 C.F.R. §§ 1320.3(c), 1320.5, and 1320.6(a). Furthermore, the RFI is exempt from OMB review under the Paperwork Reduction Act because it is part of an investigation of a specific individual or entity. 44 U.S.C. §3518(c)(1); 5 C.F.R. § 1320.4.

Please send the response by certified mail, return receipt requested, addressed to.

Letitia D. Moore
Office of Regional Counsel (ORC-3)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Thank you for your prompt attention to this matter. If you have any questions, please

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contact Assistant Regional Counsel Letitia Moore at (415) 972-3928 or moore.letitia@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy C. Miller', with a long, sweeping flourish extending to the right.

Amy C. Miller, Manager
RCRA Enforcement Office