



FmHA AN No. 2724 (1940)  
December 31, 1992

SUBJECT: Hazardous Waste Reporting Requirements

TO: Regional Directors, RDA; State Directors, FmHA;  
District Directors, FmHA; County Supervisors, FmHA

ATTN: Deputy Director, Programs, Deputy Director, Strategy,  
and Regional Environmental Coordinators, RDA;  
Program Chiefs and Contract Program Managers, FmHA;  
and State Environmental Coordinators

Purpose/Intended Outcome:

The purpose of this AN is to: (1) reaffirm field office responsibilities for reporting hazardous substances; (2) continue the format for field offices to report hazardous waste sites to the State Environmental Coordinator (SEC) who, in turn, will notify the National Office Program Support Staff (PSS); (3) require PSS to be notified of any contract(s) for hazardous waste or Underground Storage Tank (UST) site assessment, removal, clean-up, and/or remediation expenses regardless of the cost(s); (4) remind field offices of the U.S. Department of Agriculture's Hazardous Waste Management Program (HWMP) which may be used to fund these contracts; and (5) remind field offices of the Memoranda of Agreement with the U.S. Army Corps of Engineers (USACE) and the Tennessee Valley Authority (TVA).

Comparison with Previous AN:

Previous ANs relating to this subject have expired.

Implementation Responsibilities:

Under the reporting requirements of the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), field office staff must immediately notify the National Response Center at U.S. Coast Guard headquarters in Washington, D.C. (toll-free: 1-800-424-8802) of any release of a hazardous substance(s) on or from an inventory property if the release is greater than or equal to the reportable quantity for that substance. A release is defined as any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting,

EXPIRATION DATE: November 30, 1993

FILING INSTRUCTIONS:  
Preceding FmHA  
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escaping, leaching, dumping, or disposing into the environment. Release includes the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance, pollutant, or contaminant. Release also means the substantial threat of future release, as well as past and present activities. Since reportable quantities vary depending on the substance, field office staff, rather than reviewing complex reportable quantities lists, are advised to seek the services of the RCRA/Superfund Hotline at 1-800-424-9346 for any questions relating to the reportability of hazardous substances. When calling the hotline, callers should have on hand as much information as possible about the substance(s) and the amount(s) of the release. The Hotline will assist in determining if the release needs to be reported. Calling the hotline does not fulfill the requirement to report to the National Response Center.

In many instances field offices will also have to notify a state and/or local regulatory agency as most states have notification requirements regarding the release of hazardous substances. State Directors will determine their state's hazardous substance reporting requirements, and issue appropriate instructions to field offices. Even though immediate notification is given to a state agency, field offices must also notify the National Response Center. **The obligation to report to the National Response Center cannot be satisfied by notifying anyone else.**

The Deputy Secretary of Agriculture exercises primary responsibility to direct and coordinate environmental pollution control and abatement within the Department. Toward this end, the Deputy Secretary has developed a responsive alert and reporting procedure for use when a release occurs. Therefore, it is essential that all hazardous substance releases, regardless of size or other reporting requirements, be reported to PSS who will in turn keep the Deputy Secretary informed.

Utilizing the format attached as Exhibit A to this AN, field Offices will report to the SEC, and SEC's will report to PSS Attention: Don Lander (202) 720-9656 in each of the following situations:

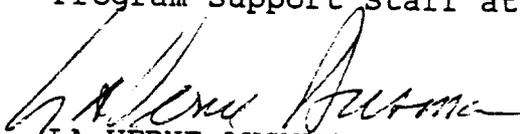
1. Immediately upon discovery of a release reportable to the National Response Center on inventory properties.
2. When a contract for a Phase I and/or II hazardous waste site assessment is awarded on inventory or non inventory properties, regardless of the amount of the contract.
3. When a contract for a UST assessment, removal, or remedial action is awarded on inventory or non inventory property.
4. Semiannually the first week of June and the first week of December as of the last day of the preceding month.  
**Negative reports are required.**

Once a facility has been reported, it should be included in each semiannual report until the clean-up is complete including any required regulatory agency approvals, and the final total clean-up cost is reported.

Services involving hazardous waste or UST site assessment, removal, clean-up, and/or remediation may be procured in accordance with FmHA Instruction 2024-A; or obtained by using the Memoranda of Agreement with the U.S. Army Corps of Engineers (USACE) or the Tennessee Valley Authority (TVA). Any contract over \$25,000 is eligible for funding from the USDA Hazardous Waste Management Program (HWMP). The State Office should contact the National Office, PSS, prior to award of the contract to determine if HWMP funds are available. If they are, these funds may be used instead of the states' allocated contracting funds. Contracting officers must be made aware of the funding source prior to the award of the contract as different award procedures are required. With the prior concurrence of PSS, services utilizing the memoranda with USACE or TVA, regardless of the dollar amount, are eligible for funding from the HWMP. See unnumbered letters dated January 13, 1992 and February 28, 1992 for instructions regarding use of the memoranda.

Exhibit B is a flow chart of the hazardous waste assessment, clean-up, and reporting procedures for inventory properties.

Should you have any questions, please contact Don Lander, Program Support Staff at (202) 720-9619.



LA VERNE AUSMAN  
Administrator, FmHA



MARY ANN BARON  
Administrator, RDA

Attachments

# Hazardous Waste Report

Exhibit A

Initial  Semiannual  Inventory  Non-Inventory  Date:

To whom reported:

State Agency:	Telephone #:	Date:
Federal Agency:	Telephone #:	Date:

Property Identification:  
commonly known as  
Town, County and State

Problem:

Solution:

Status:

Attach additional sheets as needed.

Cost(s):	Estimated:	Final:
Assessment:	<input type="text"/>	Assessment: <input type="text"/>
Clean-up:	<input type="text"/>	Clean-up: <input type="text"/>
Total:	<input type="text"/>	Total: <input type="text"/>

FY(s) and obligation:

FY	<input type="text"/>	\$	<input type="text"/>
FY	<input type="text"/>	\$	<input type="text"/>

Source of obligated funds:  
(check all sources)

ACIF	<input type="checkbox"/>	\$	_____	RDIF	<input type="checkbox"/>	\$	_____
RHIF	<input type="checkbox"/>	\$	_____	USDA-HWMP	<input type="checkbox"/>	\$	_____

FmHA Contact Person  
Name, Title, Location  
& Telephone Number:

Name of SEC and Telephone Number:

