Hazardous Waste Management Program Implementation Costs: Association of State and Territorial Solid Waste Management Officials Report

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Association of State and Territorial Solid Waste Management Officials ("ASTSWMO") issued a November 2023 report titled:

Hazardous Waste Management Program Implementation Costs Report ("Report")

The *Report* was prepared by the Hazardous Waste Funding Workgroup within ASTSWMO's Hazardous Waste Subcommittee.

Arkansas Department Energy and Environment – Division of Environmental Quality personnel serving on the ASTSWMO Hazardous Waste Subcommittee include:

- Blake Whittle
- Brad Toler
- Rita Spakes

The *Report* states it was funded wholly or in part by the United States Environmental Protection Agency ("EPA") under assistance agreement X1-84053001.

The ASTSWMO Board of Directors is stated to have established a temporary Hazardous Waste Funding Workgroup ("Workgroup") in 2021 to identify the updated cost of operating the hazardous waste program. As a result, the Workgroup developed and forwarded a survey to all authorized programs.

State and tribal assistance grant ("STAG") funding is provided by EPA to the 48 authorized states, Washington, D.C., and Guam. They have been delegated the Federal Hazardous Waste Program (i.e., Resource Conservation and Recovery Act ["RCRA"] Subtitle C.)

Arkansas has been delegated the RCRA Subtitle C Hazardous Waste Program for many years.

The survey questions are available in Appendix A of the *Report*.

The survey requested the total cost associated with implementing each of five core program areas:

- Corrective Action
- Permitting
- Inspections

- Enforcement
- Program Development

EPA is stated to have used these categories in allocating funding.

In terms of the survey response, the *Report* notes:

. . . . Only 21 of the authorized programs were able to provide a breakdown of costs by program area. The remaining programs were only able to provide a total cost across all program areas. Based on the survey results, it was identified that most States do not separate Inspection and Enforcement costs in their accounting systems, and thus, several States were only able to report a total combined Inspection and Enforcement cost.

Therefore, the Workgroup decided to evaluate four program areas, combining Inspections and Enforcement into one program area.

The *Report* states that the total cost for operating the Resource Conservation and Recovery Act Subtitle C program in the 50 authorized hazardous waste programs is $186,807,140.

By way of summary, the *Report* also notes:

As appropriated in FY2022, the STAG allocation of $98,200,000, along with the States required 25% match of $32,733,333, combine for a total of $130,933,333. As such, STAG funding fell $63 million short of the total cost to run the program in FY2022. This $63 million difference was covered by the States in what is commonly referred to as States' "over-match" of STAG. This overmatch results in States actually matching 48% of the grant funding.

STAG funding allocated to States has remained stagnant since at least 1995. The STAG allocation in FY1995 was $97,049,700, while in FY2022 it was $98,200,000. Had the FY1995 allocation been adjusted for inflation, in FY2022, the STAG funding allocation would have been $186,385,6481 . Had STAG funding simply been adjusted for inflation since 1995, STAG funding would have fallen only about $8 million short in FY2022.

Information from the survey reflects significant underfunding, while at the same time shows States' costs are increasing. Data obtained from States through ASTSWMO's Hazardous Waste Subcommittee in FY2018 estimated the cost of operating the RCRA Subtitle C program nationally was about $156 million as compared to $194 million in FY2022.

ASTSWMO describes itself as an organization representing the 50 states, five territories, and the District of Columbia with a mission to enhance and promote effective state and territorial programs and to affect relevant national policies for waste and materials management, environmentally sustainable practices, and environmental restoration.

A copy of the *Report* can be downloaded here.