

The Honorable Joseph I. Lieberman  
United States Senate  
Washington, DC 20515

Dear Senator Lieberman:

We appreciate your interest in our Resource Conservation and Recovery Act (RCRA) Burden Reduction Initiative Proposed Rule. In your June 13, 2002 letter, you forwarded an e-mail from C. Thomas Rezner, who asked about our proposal to expand the universe of professionals who can certify the proper design and operation of hazardous waste treatment, storage and disposal facilities. We will include these comments in the docket to this rulemaking.

Currently, many RCRA regulations require an independent, registered Professional Engineer to certify the effectiveness of the design and operation of certain types of permitted units. In a June 18, 1999 *Federal Register* notice (see 64 FR 32859), we announced the RCRA Burden Reduction Initiative. We received a comment from the Certified Hazardous Materials Managers (CHMM) organization asking that their members be allowed to certify effectiveness of design and operations at hazardous waste facilities, that currently can only be certified by Professional Engineers's. As a result of that suggestions, we proposed to add CHMM's to the group of professionals able to make some of these certifications. Our intent was to provide new opportunities for all qualified individuals. We had not received similar suggestions from any other professional organizations.

Mr. Rezner's comment will assist us in developing the final rulemaking by helping better define who should be allowed to make these certifications. We certainly will consider whether other environmental professionals should also be allowed to provide the certifications required by our rules. If you have questions, or would like any further information, please feel free to contact Betsy Henry in EPA's Office of Congressional and Intergovernmental Relations at 202-564-7222.

Sincerely,

Marianne Lamont Horinko  
Assistant Administrator

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