

Thomas L. Jackson, P.E.
President
ASCE
1015 15th Street, N.W., Suite 800
Washington, DC 20005-2605

Dear Mr. Jackson:

We appreciate your interest in our Resource Conservation and Recovery Act (RCRA) Burden Reduction Initiative Proposed Rule. In your November 13, 2002 letter, you 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 the effectiveness of design and operations at hazardous waste facilities, that currently can only be certified by Professional Engineers. As a result of that suggestion, we proposed to add CHMMs to the group of professionals able to make some of these certifications and solicited comment on what other professionals also might be capable of certifying compliance. Our intent was to provide new opportunities for all qualified individuals.

Your comment will assist us in developing the final rulemaking by helping better define who should be allowed to make these certifications. We are reviewing the comments now, but have not yet made any final decisions.

Sincerely,

Robert Springer, Director
Office of Solid Waste

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