



Highlights of [GAO-08-74](#), a report to congressional requesters

Why GAO Did This Study

Military installations operated by the Department of Defense (DOD) can generate hazardous waste during routine operations, such as the repair and maintenance of weapon systems and equipment, or during an environmental cleanup related to past operations. The proper disposal of hazardous waste, especially when it is taken to an off-site location, is essential to ensuring the health and safety of communities across the country. This report describes (1) DOD's procedures for selecting hazardous waste transporters and treatment, storage, and disposal facilities, and ensuring that they properly dispose of hazardous waste; (2) the role of the Environmental Protection Agency (EPA) and state agencies in ensuring hazardous waste is disposed of safely and in accordance with laws and regulations; and (3) the information that facilities and regulators must publicly report regarding a release of hazardous waste and the enforcement actions taken against facilities found in violation of the applicable laws and regulations. GAO reviewed applicable laws, regulations, and policies, and interviewed federal and state officials.

GAO does not make any recommendations in this report. EPA generally agreed with the report, while DOD did not comment on the report. Both agencies provided technical comments which were incorporated.

To view the full product, including the scope and methodology, click on [GAO-08-74](#). For more information, contact Anu K. Mittal at (202) 512-3841 or mittala@gao.gov.

HAZARDOUS WASTE

Information on How DOD and Federal and State Regulators Oversee the Off-Site Disposal of Waste from DOD Installations

What GAO Found

DOD primarily relies on private contractors to handle the off-site disposal of hazardous waste generated by its installations and has procedures aimed at ensuring that its contractors select appropriate transporters and treatment, storage, and disposal facilities. The procedures that DOD follows regarding the disposal of hazardous waste depend on whether the waste was generated from routine operations or from an environmental cleanup. For routine operations, DOD's preferred process is for installations to rely on regional contracts awarded to private firms by DOD's Defense Reutilization and Marketing Service to manage the disposal process. These private firms must select hazardous waste transporters and treatment, storage, and disposal facilities from a DOD approved list. Similarly, for environmental cleanups, DOD relies on contractors to manage the cleanup projects. However, unlike routine cleanups, these contractors do not have an approved list from which they can choose. Instead they are required to choose transporters and facilities, with DOD oversight, that are to comply with the requirements of environmental laws, such as having the appropriate permits. DOD is not required by the Resource Conservation and Recovery Act (RCRA) to oversee the physical operations of permitted facilities. That oversight is conducted by EPA and authorized state agencies that have overall responsibility for enforcing requirements designed to ensure these facilities dispose of hazardous waste properly.

EPA or authorized state agencies issue permits required under RCRA to hazardous waste disposal facilities and monitor the facilities' performance to ensure that these facilities dispose of hazardous waste safely and in accordance with laws and regulations. To ensure that treatment, storage, and disposal facilities comply with their permits and other RCRA requirements, EPA or the authorized state agency are required to inspect the facility every 2 years. If a violation is found, legal action, in the form of an administrative order, a civil lawsuit, or a criminal lawsuit, may follow, depending upon the nature and severity of the problem.

Certain federal laws, including RCRA, require facilities and regulators to report some information to the public regarding hazardous waste releases and enforcement actions against hazardous treatment, storage, and disposal facilities. For hazardous waste releases, both EPA and the facilities must report various types of information depending on the hazardous waste involved, the amount released, and the type of facility, among other things. For example, facility owners must report the accidental release of a broad range of hazardous substances to local emergency responders. For enforcement actions taken against the facilities, EPA and authorized state agencies have few requirements for reporting information publicly, but may provide some information about the violation and any penalty imposed.