8-24. Inspections and Information Gathering (Subtitle I) (1200 TN 350 8-24)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act (SWDA), as amended, including Section 9005:

   a. To enter and inspect any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located; to inspect and have access to and copy all records relating to such tanks; to conduct monitoring and testing of such tanks, associated equipment, contents, or surrounding soils, air, surface water or ground water; and to inspect and obtain samples of any regulated substances contained in such tanks;

   b. To issue an information request to the owner or operator of any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located to furnish information relating to such tanks, their associated equipment and contents and to conduct monitoring and testing;

   c. To obtain and execute warrants for the purposes of performing inspections, information gathering, monitoring and testing;

   d. To carry out any other inspection and information gathering activities authorized by Subtitle I of the SWDA;

   e. To require the carrying out of any other inspection and information gathering activities authorized by Subtitle I of the SWDA;

   f. To designate representatives of the Administrator to perform the functions specified in paragraphs 1.a., 1.b., 1.c., 1.d., and 1.e.

2. **TO WHOM DELEGATED.** Director, Land, Chemicals and Redevelopment Division (LCRD); Chief, RCRA Programs Branch, LCRD; Director, Enforcement and Compliance Assurance Division (ECAD); and Chief, Air, RCRA, and Toxics Branch, ECAD.

3. **LIMITATIONS.**

   a. The delegatee must consult with the Regional Counsel prior to requesting warrants.

4. **REDELEGATION AUTHORITY.**

   a. The authority in 1.a., 1.b., 1.c. and 1.d. may be redelegated to the staff level.

   b. The authority in 1.e. and 1.f. may be redelegated to the section chief level and no further.

8-24. Inspections and Information Gathering Subtitle I (continued)

c. This authority may not be redelegated without formal amendment.

d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

a. Section 9005 of the SWDA.

b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."

6. SUPERSESSION. Delegations Manual, SWDA, Regional Delegation 8-24. Inspections and Information Gathering (Subtitle I), 1200 TN RIII 205 (November 30, 2018).

Date APR 1 5 2019

Cosmo Servidio
Regional Administrator