

"Designating Exempt Recycling Facilities on the Manifest"

Key Words: Designated facility; manifest; recycling facility

QUESTION: A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a hazardous waste manifest and designate on the manifest one facility that is permitted to handle the shipment (§§262.20(a) and (b)). Does the requirement to designate a permitted facility preclude shipments of hazardous waste to recycling facilities that are exempt from RCRA permitting requirements?

ANSWER: No, the federal EPA requirement to designate on the manifest a destination for each hazardous waste shipment does not prohibit generators from sending waste to exempt recycling facilities. Box 9 on the Uniform Hazardous Waste Manifest (EPA Form 8700-22) is reserved for the name and site address of the designated facility. As indicated in the definition of designated facility under §260.10, the universe of sites to which a generator may direct hazardous waste includes permitted facilities, facilities operating under interim status, facilities which reclaim precious metals from hazardous waste, and hazardous waste recycling facilities exempt from permitting requirements under §261.6(c)(2). (For further explanation of this provision see 50 FR 652; January 4, 1985.) Although the recycling process itself is exempt from RCRA regulation, owner/operators of facilities that recycle hazardous waste must obtain an EPA identification number and comply with the manifest requirements under §§265.71 and 265.72 (§261.6(c)(2)). (April 1994 Monthly Hotline Report)