

## Waste Minimization and Recycling Activities That Resemble Conventional Waste Management Practices

Large quantity generators of hazardous waste and treatment, storage, and disposal facilities who generate and manage hazardous waste on-site are required to certify that they have a waste minimization program in place. Do recycling activities classified as burning for energy recovery as defined in 40 CFR 261.2(c)(2) or use constituting disposal as defined in 40 CFR 261.2(c)(1) qualify as waste minimization?

Burning for energy recovery and use constituting disposal do not qualify as waste minimization. The scope of the waste minimization program encompasses source reduction and environmentally sound recycling practices (58 FR 31114; May 28, 1993). Source reduction involves decreasing the amount of any hazardous substance, pollutant, or contaminant entering any wastestream prior to recycling, treatment, or disposal, while recycling includes the use, reuse, or reclamation of hazardous waste. Recycling activities closely resembling conventional waste management activities do not qualify as waste minimization (58 FR 31115; May 28, 1993). Burning for energy recovery is considered a recycling process that closely resembles incineration, a conventional waste management practice. Much like incineration, burning for energy recovery disposes of hazardous constituents by destruction as well as by releasing toxic constituents into the air (53 FR 522; January 8, 1988). Similarly, any activity in which hazardous waste is recycled by being placed on the land, for example as a dust suppressant or soil conditioner, is considered use constituting disposal, and is analogous to conventional waste disposal in land-based units, such as landfills and surface impoundments (50 FR 628; January 4, 1985). Since burning for energy recovery and use constituting disposal are similar to conventional waste disposal practices, neither activity would qualify as waste minimization. (July 1994 Monthly Hotline Report)