

PPC 9456.1996(02)

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY WASHINGTON, D.C.  
20460

June 17, 1996

Mr. Adam Feldman  
Norman Feldman Associates  
15 W. 81st St., Ste. 6C  
New York, NY 10024

Dear Mr. Feldman:

Thank you for your letter of May 30 to Mr. Michael Shapiro in which you requested a letter explaining the RCRA hazardous waste import requirements. You indicated that you intend to import waste, which may or may not be hazardous, from Singapore. You should be aware that Singapore is a party to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, while the U.S. is not a party. Under the terms of the agreement, parties cannot trade in hazardous wastes with non-parties absent an agreement pursuant to Article 11 of Basel which does not derogate from the environmentally sound management provisions of Basel. The U.S. and Singapore are not currently parties to such an agreement.

The hazardous waste import regulations at 40 CFR 262 Subpart F have not changed since the July 8, 1991 letter you received from Wendy Grieder of EPA's Office of International Activities. However, as you have requested, I will reiterate those requirements as they pertain to non-OECD imports of hazardous waste.

EPA regulations do not prohibit the importation of foreign-generated hazardous waste. However, the regulations do require that the owner or operator of a facility that has arranged to receive hazardous waste from a foreign source must notify the EPA Regional Administrator in writing at least four weeks in advance of the date the waste is expected to arrive at the facility. Notice of subsequent shipments of the same waste from the same facility is not required (40 CFR 264.12 and 265.12).

Hazardous waste imported into the U.S. from a foreign source is regulated under the Resource Conservation and Recovery Act (RCRA) in the same manner as hazardous waste generated in the U.S. This includes compliance with manifesting, transport, treatment, storage, and disposal requirements.

RO 14035

If you have further questions, please call me at (703) 308-8751.

Sincerely,  
Julia L. Gourley  
International and Special Projects Branch  
Hazardous Waste Identification Division (5304W)  
Office of Solid Waste