

## Corrective Action

1. A treatment facility is applying for a Resource Conservation and Recovery Act (RCRA) §3005 operating permit. This facility currently manages scrap metal destined for reclamation. On January 4, 1985, (50 FR 614), the Agency declared that scrap metal, when recycled, is a Subtitle C waste. Concurrently, the Agency announced that it would not regulate scrap metal destined for recycling at this time. Because this facility is seeking a §3005 operating permit, the facility must address releases of hazardous waste or constituents from any solid waste management unit pursuant to §3004(u) (corrective action). Must this facility address the unregulated scrap metal management area concerning releases?

Even though scrap metal destined for recycling is not regulated, it is considered a solid waste. Thus, a release of a hazardous waste or constituent at the scrap metal management area (solid waste management unit) must be addressed pursuant to §3004(u) of RCRA.

SOURCE: Dave Fagan (202) 382-4497

