

## Conditionally Exempt Small Quantity Generator (CESQG) Hazardous Waste Recycling Facilities

Conditionally exempt small quantity generators (CESQGs) of hazardous waste must ensure delivery of their wastes to appropriate treatment, storage, recycling, or disposal facilities (see 40 CFR 261.5(f)(3) and 261.5(g)(3)). Under 40 CFR 261.5(f)(3)(v) and 261.5(g)(3)(v), one option CESQGs have for managing their waste is sending it to a facility which beneficially uses or reuses waste; legitimately recycles or reclaims waste; or treats waste prior to its beneficial use, reuse, legitimate recycling or reclamation. In order to be eligible to receive CESQG waste, must such recycling facilities comply with any federal or state permitting, licensing, or registration requirements?

Recycling facilities meeting the criteria of 40 CFR 261.5(f)(3)(v) and 261.5(g)(3)(v) need not be permitted, licensed, or registered by EPA or the state in order to receive CESQG waste. While individual states may rule on the legitimacy of such CESQG waste recycling operations and may impose more stringent requirements such as permitting, federal regulations do not require any formal approval of a recycler in order for CESQGs to send their waste to the recycler. (April 1994 Monthly Hotline Report)