

US EPA ARCHIVE DOCUMENT

## Executive Summary

This document provides an overview of the regulatory requirements for importing and exporting hazardous waste under the Resource Conservation, and Recovery Act (RCRA). Within the United States, RCRA regulates hazardous waste from its point of generation until its ultimate disposal or disposition. All handlers of hazardous waste, from those that first produce the waste to those that ultimately dispose of the waste, have distinct requirements under RCRA to ensure protective cradle-to-grave waste management. RCRA provides special provisions for hazardous waste that is generated domestically and subsequently shipped outside of the United States. Similarly, RCRA contains procedures that regulate hazardous waste that is produced in foreign countries and imported into the United States.

This document describes the RCRA requirements applicable to those parties that import or export hazardous wastes. These regulations apply only to wastes that are defined as hazardous. Chapter I of this document explains which wastes are considered hazardous under RCRA, identifies those wastes that are specifically excluded from regulation, and discusses other hazardous wastes that are conditionally exempt from RCRA requirements. Chapter I then explores other considerations for importers and exporters of hazardous waste. For example, the export regulations differ depending on the country receiving the waste and the type of waste management that occurs in the foreign country.

Chapter II reviews the regulatory requirements for importing hazardous waste under 40 CFR Part 262, Subpart F. This chapter will identify which U.S. parties may be considered an importer of hazardous waste and outlines the requirements for hazardous waste importers.

The requirements for exports of hazardous waste, under Part 262, Subpart E are discussed in Chapter III. This chapter delineates the requirements of the primary exporter of hazardous waste, including notification requirements, recordkeeping and reporting. Further, the chapter illustrates the specific procedures involved with hazardous waste exports for U.S. exporters, EPA, and other entities.

Imports and exports of hazardous waste between the United States and other members of the Organization for Economic Cooperation and Development (OECD) for recovery purposes are subject to provisions set forth in OECD Council Decision C(92)39. This decision sets guidelines for transboundary shipments of hazardous waste between members of the OECD for recovery purposes. Chapter IV will explain the EPA regulations in Part 262, Subpart H that were promulgated as a result of the United States' involvement in the OECD Council Decision.

Finally, Chapter V provides an overview of the Basel Convention on the Control of

Transboundary Movements of Hazardous Wastes and their Disposal. Chapter V summarizes the major provisions of the Basel Convention and highlights the impact of the Convention on U.S. importers and exporters.