

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 232
Revisions to the Export Provisions of the Cathode Ray Tube (CRT) Rule
79 FR 36220-36231
June 26, 2014
(RCRA Cluster XXIII, Non-HSWA)

Name of State: _____

State Statutory Authority: _____

Title of Regulations: _____ Effective Date: _____

Date Checklist Completed: _____

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE		
PART 260—HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL								
SUBPART B -- DEFINITIONS								
DEFINITIONS								
add in alphabetical order the definition of "CRT exporter" to read as follows:	260.10							
<i>CRT exporter</i> means any person in the United States who initiates a transaction to send used CRTs outside the United States or its territories for recycling or reuse, or any intermediary in the United States arranging for such export.	260.10							
PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE								
SUBPART A -- GENERAL								
Section 261.39 is amended by revising paragraph (a)(5)(i)(F) and adding paragraphs (a)(5)(x) and (a)(5)(xi) to read as follows:	261.39							
The name and address of the recycler or recyclers and the estimated quantity of used CRTs to be sent to each facility, as well as the names of any alternate recyclers.	261.39(a)(5)(i)(F)							

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CRT exporters must file with EPA no later than March 1 of each year, an annual report summarizing the quantities (in kilograms), frequency of shipment, and ultimate destination(s) (<i>i.e.</i> , the facility or facilities where the recycling occurs) of all used CRTs exported during the previous calendar year. Such reports must also include the following:	261.39(a)(5)(x)					
The name, EPA ID number (if applicable), and mailing and site address of the exporter;	261.39(a)(5)(x)(A)					
The calendar year covered by the report;	261.39(a)(5)(x)(B)					
A certification signed by the CRT exporter that states: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."	261.39(a)(5)(x)(C)					

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Annual reports must be submitted to the office specified in paragraph (a)(5)(ii) of this section. Exporters must keep copies of each annual report for a period of at least three years from the due date of the report.	261.39(a)(5)(xi)					
Notification and Recordkeeping for Used, Intact Cathode Ray Tubes (CRTs) Exported for Reuse	261.41					
CRT exporters who export used, intact CRTs for reuse must send a notification to EPA. This notification may cover export activities extending over a twelve (12) month or lesser period.	261.41(a)					
The notification must be in writing, signed by the exporter, and include the following information:	261.41(a)(1)					
Name, mailing address, telephone number, and EPA ID number (if applicable) of the exporter of the used, intact CRTs;	261.41(a)(1)(i)					
The estimated frequency or rate at which the used, intact CRTs are to be exported for reuse and the period of time over which they are to be exported;	261.41(a)(1)(ii)					
The estimated total quantity of used, intact CRTs specified in kilograms;	261.41(a)(1)(iii)					

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All points of entry to and departure from each transit country through which the used, intact CRTs will pass, a description of the approximate length of time the used, intact CRTs will remain in such country, and the nature of their handling while there;	261.41(a)(1)(iv)					
A description of the means by which each shipment of the used, intact CRTs will be transported (e.g., mode of transportation vehicle (air, highway, rail, water, etc.), type(s) of container (drums, boxes, tanks, etc.));	261.41(a)(1)(v)					
The name and address of the ultimate destination facility or facilities where the used, intact CRTs will be reused, refurbished, distributed, or sold for reuse and the estimated quantity of used, intact CRTs to be sent to each facility, as well as the name of any alternate destination facility or facilities;	261.41(a)(1)(vi)					
A description of the manner in which the used, intact CRTs will be reused (including reuse after refurbishment) in the foreign country that will be receiving the used, intact CRTs; and	261.41(a)(1)(vii)					

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A certification signed by the CRT exporter that states: "I certify under penalty of law that the CRTs described in this notice are intact and fully functioning or capable of being functional after refurbishment and that the used CRTs will be reused or refurbished and reused. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."	261.41(a)(1)(viii)					

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Notifications submitted by mail should be sent to the following mailing address: Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division, (Mail Code 2254A), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460. Hand-delivered notifications should be sent to: Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division, (Mail Code 2254A), Environmental Protection Agency, William Jefferson Clinton Building, Room 6144, 1200 Pennsylvania Ave. N.W., Washington, DC 20004. In both cases, the following shall be prominently displayed on the front of the envelope: "Attention: Notification of Intent to Export CRTs."	261.41(a)(2)					

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CRT exporters of used, intact CRTs sent for reuse must keep copies of normal business records, such as contracts, demonstrating that each shipment of exported used, intact CRTs will be reused. This documentation must be retained for a period of at least three years from the date the CRTs were exported. If the documents are written in a language other than English, CRT exporters of used, intact CRTs sent for reuse must provide both the original, non-English version of the normal business records as well as a third-party translation of the normal business records into English within 30 days upon request by EPA.	261.41(b)					