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# COMPLIANCE GUIDELINE REFRIGERANT RECYCLING REQUIREMENTS UNDER THE CLEAN AIR ACT

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The Clean Air Act (CAA or the Act) addresses the manufacture, handling, recycling, and disposal of products containing ozone-depleting substances (ODSs). Of these substances, scrap recyclers are most familiar with chlorofluorocarbons (CFCs). Several requirements in the Act directly apply to scrap recycling facilities. In particular, section 608 requires the safe disposal, including recycling, of products containing ODSs, and prohibits the knowing release of ODSs during recycling or disposal activities. Copies of all regulations referenced in this outline, and additional materials, are available from EPA's Stratospheric Ozone Information Hotline: 1-800-296-1996. With additional questions or concerns, or to request any materials, contact Tom Tyler 202-662-8516.

## 1. WHY ARE OZONE DEPLETING SUBSTANCES (ODSs) REGULATED?

CFCs and other ODSs are chemicals used as refrigerants in many products handled by the scrap recycling industry, such as motor vehicle air conditioners (MVACs) and home appliances. Scientists have linked ODS emissions from these and other products to the depletion of the Earth's stratospheric ozone layer.

The stratospheric layer of the atmosphere extends about 10-50 kilometers above Earth's surface. The ozone layer is a concentration of ozone molecules that, in the form of a naturally occurring gas, filter the sun's ultraviolet (UV) radiation. A diminished ozone layer allows more radiation to reach the Earth's surface. For people, overexposure to UV rays can lead to skin cancer, cataracts, and weakened immune systems. Increased UV can also lead to reduced crop yield, disruptions in the marine food chain, and other harmful effects.

Chlorofluorocarbons (CFCs) and other ODSs have been used widely as refrigerants, insulating foams, and solvents. Although they are heavier than air, ODSs are eventually carried into the stratosphere in as long as two to five years after they are released. In the stratosphere, UV radiation breaks ODSs apart, releasing chlorine atoms. Those chlorine atoms react with ozone, starting a chemical cycle of ozone destruction that depletes the ozone layer. One chlorine atom can break apart more than 100,000 ozone molecules.



### REQUIREMENTS

1. It is against the law to knowingly release or vent ODSs such as CFCs.
2. Scrap recyclers must either:
  - Remove ODSs from products containing them, or
  - Obtain written verification that the ODSs have been previously, or will be, removed prior to delivery.

The United States and other nations established a schedule phasing out worldwide ODS production and use in the international agreement known as the Montreal Protocol. As a result, the Clean Air Act and several state laws restrict the manufacture, use, reclamation, and venting of ODSs. The requirements imposed on scrap recyclers relate to the use of ODSs as refrigerants, but not their use in manufacturing, such as in foam and other insulation materials.

The U.S. Environmental Protection Agency (EPA) published the final rule on refrigerant recycling in the May 14, 1993 *Federal Register*. This guideline gives an overview of the principal requirements scrap recyclers face. *Additional requirements, including those for persons who service or repair (vs. recycle) appliances and automobile refrigeration units, and those who reclaim (vs. recover) used refrigerants, and restrictions on the sale of refrigerant, are not discussed in this guideline.* State and local governments may also impose additional requirements not discussed in this guideline.

### 1.1 PROHIBITION ON VENTING ODSs

The CAA prohibits individuals from knowingly venting or otherwise releasing ODSs into the atmosphere while maintaining, servicing, repairing, or disposing of an appliance or industrial process refrigeration equipment (CAA § 608(c)). *De minimis* releases associated with good faith attempts to recapture, recycle, or safely dispose of the refrigerant in accordance with all regulatory requirements are an exception. The regulations include recycling in the broader category of disposal. 40 CFR § 82.154(a)(2).

The Act refers to ODSs as Class I and Class II substances. Class I substances include **CFCs, halons, carbon tetrachloride, and methyl chloroform**. Class II substances include **hydrochlorofluorocarbons (HCFCs)**. According to EPA, knowing venting is any release that permits a class I or class II substance to enter the environment and that takes place with the knowledge of the technician during the maintenance, servicing, repairing, or disposal of air conditioning or refrigeration equipment. Knowing releases also include situations in which a technician closes his or her eyes to obvious facts or fails to investigate them when aware of facts that demand investigation. 58 Fed. Reg. 28672.

*Individuals are prohibited from knowingly venting or otherwise releasing ODSs such as CFCs into the atmosphere while maintaining, servicing, repairing, or disposing of an **appliance**.*

-- Individuals also cannot knowingly release refrigerant after it has been recovered from an appliance.

-- Individuals may presume that refrigerant is no longer present in automobiles which arrive at a facility crushed.

-- Accepting certification that equipment has been properly evacuated *while knowing that the certification is false* is a violation of the regulation.

## 2. SAFE DISPOSAL REQUIREMENTS

Under the safe disposal sections of the CAA, EPA is required to develop regulations that address the removal of ODSs contained in bulk in



appliances, machines or other goods prior to the disposal of such items or their delivery for recycling.

EPA requires that equipment which is typically dismantled on-site before disposal, such as retail food refrigerators and warehouse refrigeration systems, must have the refrigerant removed and recovered **before** it is sent to a scrap metal recycler or landfill. *However, equipment that typically enters the recycling stream with the refrigerant still present, such as household refrigerators and freezers, room air conditioners, and automobile air conditioners, is subject to the safe disposal requirements.* Under those requirements, the last entity in the disposal chain (a scrap metal recycler or landfill) must either remove the refrigerant from an item or obtain certification that refrigerant has been removed from that item, previous to its acceptance.

EPA has clarified that it does not specifically require the last link in the disposal chain to remove refrigerant and that it believes that the most cost-effective stage to remove refrigerant is typically not the scrap recycler or the landfill operator, but an intermediate processor. 58 Fed. Reg. 28703.

**SCRAP RECYCLERS MUST EITHER:**

1. Recover ODSs from small appliances and MVACs
  - See equipment performance standards and registration requirements for equipment and personnel
2. Obtain signed statement that ODSs have been previously removed from the appliance or shipment of appliances
  - May be specified by contract with regular suppliers
  - Notify suppliers that ODSs must be removed
  - Maintain records for 3 years

**What is an *Appliance*?**

The Act and regulations define as an “appliance” any device which contains and uses an ODS as a refrigerant and which is used for household or commercial purposes, including motor vehicle air conditioners (MVACs). This guideline summarizes the requirements for the recycling or disposal of “small appliances” and MVACs. Examples of these regulated appliances are:

- refrigerators and freezers designed for home use,
- room air conditioners (including window air conditioners and packaged terminal air conditioners),
- packaged terminal heat pumps,
- under-the-counter ice makers,
- drinking water coolers.
- dehumidifiers,
- vending machines, and

## 2.1 THE REGULATIONS (40 CFR § 82.156)

(f) Effective July 13, 1993, persons who take the final step in the disposal process (including but not limited to scrap processors and landfill operators) of a small appliance, room air conditioning, MVACs [motor vehicle air conditioners], or MVAC-like appliances must either

(1) Recover any remaining refrigerant from the appliance in accordance with paragraph (g) or (h) below, as applicable; or



(2) Verify that the refrigerant has been evacuated from the appliance or shipment of appliances previously. Such verification must include a signed statement from the person from whom the appliance or shipment of appliances is obtained that all refrigerant that had not leaked previously has been recovered from the appliance or shipment of appliances in accordance with paragraph (g) or (h) below, as applicable. This statement must include the name and address of the person who recovered the refrigerant and the date the refrigerant was recovered or a contract that refrigerant will be removed prior to delivery.

(3) Persons complying with paragraph (f)(2) of this section must notify suppliers of appliances that refrigerant must be properly removed before delivery of the items to the facility. The form of this notification may be warning signs, letters to suppliers, or other equivalent means."

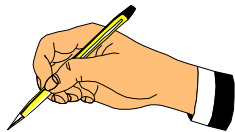
(g) All persons recovering refrigerant from MVACs and MVAC-like appliances for purposes of disposal of these appliances must reduce the system pressure to or below 102 mm of mercury vacuum, using equipment that meets the standards set forth in § 82.158(l).

(h) All persons recovering refrigerant from small appliances for purposes of disposal of these appliances must either:

(1) Recover 90% of the refrigerant in the appliance when the compressor in the appliance is operating, or 80% of the refrigerant in the appliance when the compressor in the appliance is not operating; or

(2) Evacuate the small appliance to four inches of mercury vacuum.

## 2.2 REMOVAL OF ODSs BY A SCRAP RECYCLER



### **Recovery Equipment Performance Standards and Registration.**

The regulations require that recovery and recycling equipment must be certified by an EPA-approved laboratory or organization. See Appendix A. The owner of the equipment must also register the equipment with EPA. A specific registration form is not required, but EPA has drafted a sample form, which is provided in Appendix B. The owner of the equipment or another responsible party must sign the registration. The registration must be sent to the appropriate

address provided in Appendix C and must include the following (40 CFR § 82.162(c) and § 82.154(f)):

- The name and address of the purchaser of the equipment, including the county name;
- The name and address of the establishment where each piece of equipment is or will be located;
- The number of service trucks (or other vehicles) used to transport technicians and equipment between the establishment and job sites and the field;
- The manufacturer's name, the date of manufacture, and if applicable, the model and serial number of the equipment (not necessary for self-built equipment); and
- A statement that the equipment will be properly used in recovering refrigerant from appliances and that the information given is true and correct.

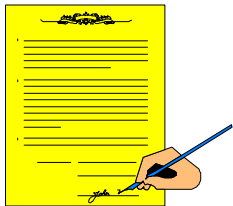
**Persons Recovering ODSs.** Although technicians in the servicing sector must pass an exam administered by an approved EPA testing organization, no such requirement exists for technicians in the so-called disposal sector, which includes scrap recyclers.

**Sale of Recovered Refrigerant.** Refrigerant recovered from products during disposal or recycling must be sold to reclamation facilities for purification before being reintroduced into the servicing sector.

### 2.3 REQUIREMENTS IF SCRAP RECYCLER IS NOT REMOVING THE ODSs

EPA requires that scrap recyclers receive **certification** from, or **contracts** with, their suppliers stating that remaining refrigerants have been, or will be, removed in accordance with EPA regulatory requirements. Recommended language, which the Agency has reviewed, is included at Appendix D. A certification must include:

- The name and address of the person who recovered the refrigerant, and
- The date the refrigerant was recovered.

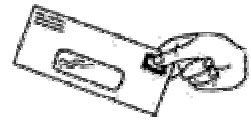


Certifications **must** be filled out completely and legibly. Forms that are incomplete or illegible will **not** protect the scrap recycler from liability for improper venting of refrigerants. Certification forms per appliance or per load are not required from a supplier with whom the scrap recycler has a contract guaranteeing that remaining refrigerants will be properly recovered prior to delivery. Certifications are not required for individual appliances provided that the scrap recycler receives either: a certification

for a shipment of inbound scrap or a contract stating that one party has the responsibility to remove refrigerant before delivery for recycling. The Agency believes that the contract option is appropriate for businesses such as the automotive dismantlers to streamline transactions in cases where they maintain long-standing business relationships with the scrap dealers. 58 Fed. Reg. 28704.

EPA has stated that if a facility operator receives a supplier's certification in *good faith*, he or she will be relieved of any liability if in fact the ODSs were not properly removed. The Agency wishes to clarify that if the processor did not know and had no reason to know that the certification was false, that he or she would not be liable for violating the regulations. 58 Fed. Reg. 28703, 28704. However, if the facility operator knows or should know that the ODSs remain in the appliance, he or she could be liable for an improper venting of refrigerants.

**Notice to suppliers.** Scrap recyclers requiring that refrigerants be removed prior to delivery for recycling must notify of that policy. This notification may be by warning signs, letters to suppliers, or other equivalent means.



## 2.4 FREQUENTLY ASKED QUESTIONS

**What if I don't accept appliances?** Facilities that will not accept appliances should make that policy clear to suppliers and should maintain a program to avoid receiving appliances, such as posting warning signs and reviewing incoming loads.

**Must I inspect incoming appliances that are covered by a supplier's certification or contract assuring refrigerant recovery?** No. EPA considered and rejected such a requirement.

In the proposal, the Agency suggested, but did not require, that periodic inspections be used as a method for the processor to determine that the claims being made by certifiers are true. 58 FR 28703. Some aggressive EPA regional personnel have, nonetheless, inspected scrap recycling facilities in a manner suggesting that inspections were required or preferred. Because of these actions and various Agency memoranda, *recyclers who inspect incoming appliances may in fact expose themselves to additional liability.*

In a 1996 memorandum, the agency stated, If a scrap recycler inspects incoming appliances for CFCs, any appliance containing refrigerant found beyond that point is a violation by the scrap recycler. If a scrap recycler simply accepts appliances with verification forms and a charged appliance is found about to be processed, it is not a violation by the scrap recycler, but for any subsequent shipment of appliances [from the same supplier], the scrap recycler can no longer accept verification statements from this supplier in good faith without some independent means of verifying that the statements are truthful and accurate because the scrap recycler knows or has reason to know that the verifications statements were false. The agency did not, however, elaborate on the difficulty of identifying the supplier from whom particular appliances were received, or on the independent means of verifying the truthfulness of statements from suppliers.





**Must I be able to track every particular appliance, so that I can locate its certifying paperwork?** No. The regulations contain no such requirement, which would be difficult if not impossible in most facilities. The agency has also reconfirmed in memoranda that such tracking is not required. The regulations mandate instead that scrap recycling facilities either properly recover remaining refrigerant themselves or require suppliers to verify of proper refrigerant recovery with certification forms or contracts assuring proper refrigerant recovery. In order to provide flexibility, the regulations also do not require the marking or labeling of individual appliances. 58 Fed. Reg. 28703.



**What about crushed automobiles?** EPA acknowledges that automobiles commonly arrive at a scrap recycling facility already crushed, and that such automobiles no longer contain refrigerant. Consequently, it may be safely presumed that refrigerant is no longer present in equipment that is received in such condition. [However], this clarification does not alter the responsibility [of the facility] to obtain certification when receiving equipment [such as crushed automobiles] from suppliers. 58 Fed. Reg. at 28704.

**Can I accept crushed or demolished appliances?** Yes. EPA clarified in a 1996 memorandum that If a [scrap recycler] receives an appliance which has been put through a process in which refrigerant should have been previously recovered ... EPA believes that these appliances are no longer subject to the safe disposal regulations. For example, appliances that have been crushed, flattened or otherwise demolished are no longer considered subject to the safe disposal requirements. The person responsible for compliance with the safe disposal regulations is the entity upstream that conducted the processing where the appliance was crushed, flattened or otherwise demolished ... . Note, however, that the agency did not further define those terms, and that some EPA regions are most aggressive in enforcement that the rules or guidance seem to warrant. In other words, recyclers may wish to consider requiring certifications or contracts from suppliers even in cases where they might not technically be required, to better avoid enforcement actions or inquiries.

**Can I direct my supplier to cut the refrigerant lines?** NO. EPA specifically states that such practices are unacceptable because they direct suppliers to violate the statute and regulations. The knowing release of refrigerant to the atmosphere is a violation of the venting prohibition and accepting certification that equipment has been properly evacuated knowing that the certification is false is a violation of the regulation. 58 Fed. Reg. 28704.



**Can I accept appliances that have had their lines cut?** Generally yes, as long as you obtain the required signed statement from the supplier. If you believe that the statement is false and the refrigerant was deliberately vented, EPA encourages you to forward that information to the nearest EPA regional office for investigation and appropriate enforcement.

**How are parts of appliances regulated?** The regulations define appliance as any device which contains and uses a class I or class II substance as a refrigerant ... . EPA has determined that, if an appliance contained several components, and the component responsible for the refrigeration can be isolated and removed, then the remaining parts are no longer

subject to the requirements in that they no longer contain an ODS used as a refrigerant. Therefore, when the refrigeration component of a multi-component appliance has been removed, the scrap recycler may accept the remaining components without also requiring a signed statement from the supplier.

Under this interpretation, a compressor must be treated as an appliance even when it no longer contains refrigerant. (Note that if a unit had to *actually* contain refrigerant to be regulated, intact refrigerators that had leaked would not be regulated, which would be inconsistent with the intent of the law.) Scrap recyclers who accept appliance hulks without compressors must require that any compressors be accompanied by appropriate supplier certification (statement or contract performance), and must accept that certification in good faith, as described above. **Because EPA has not been consistent in its interpretation of what is a regulated appliance, recyclers may wish to receive certification for appliance parts as well as for appliance hulks or refrigeration components.**

## 2.5 RECORD KEEPING

Scrap recyclers maintain copies of all signed statements obtained pursuant to these requirements on-site for at least three years (40 CFR §§ 82.166 (i) and (m)).

## 2.6 ENFORCEMENT

The US EPA, as well as state and local agencies, enforce the requirements of the Clean Air Act. State and local agencies may enforce additional state or local requirements, as well. Under the Clean Air Act, the agencies can impose fines of up to **\$25,000 per violation per day**, even for paperwork requirements. Contact ISRI, and continue to review ISRI publications, for additional information on these requirements.



## 3. ADDITIONAL INFORMATION AND ANSWERS

ISRI members should continue to review ISRI publications for new interpretations of or changes to these regulations, news on enforcement actions against recyclers. For copies of the applicable law, the regulations, or EPA memoranda and correspondence, or with questions about the refrigerant requirements, contact Tom Tyler at 202/662-8516, email [tomtyler@isri.org](mailto:tomtyler@isri.org) .

**Please note.** This guideline is provided for information purposes only and does not constitute legal advice. ISRI makes every effort to provide accurate, timely information, and has written this guideline based on the relevant statute and regulations and information from the U.S. Environmental Protection Agency. Even taking all of the steps required by the law and rule may not, however, guarantee full compliance in the eyes of a regulatory inspector.



**APPENDIX A**

**REFRIGERANT RECOVERY EQUIPMENT STANDARDS**

**APPENDIX B**

**RECOVERY EQUIPMENT CERTIFICATION FORM**

**APPENDIX C**

**MAILING ADDRESSES FOR EQUIPMENT CERTIFICATIONS**

**APPENDIX D**

**SAMPLE CERTIFICATION AND CONTRACT LANGUAGE**

## APPENDIX A - EQUIPMENT STANDARDS

(l) Equipment used to evacuate refrigerant from MVACs and MVAC-like appliances before they are disposed of must be capable of reducing the system pressure to 102 mm of mercury vacuum under the conditions of the SAE Standard, SAE J1990 (appendix A to 40 CFR part 82, subpart B).

(m) Equipment used to evacuate refrigerant from small appliances before they are disposed of must be capable of either:

(1) Removing 90% of the refrigerant when the compressor of the small appliance is operating and 80% of the refrigerant when the compressor of the small appliance is not operating, when used in accordance with the manufacturer's instructions under the conditions of appendix C, Method for Testing Recovery Devices for Use With Small Appliances; or

(2) Evacuating the small appliance to four inches of vacuum when tested using a properly calibrated pressure gauge.

[58 FR 28712, May 14, 1993, as amended at 59 FR 42957, Aug. 19, 1994]

EPA requires that recovery and recycling equipment manufactured on or after November 15, 1993 be tested by an EPA-approved testing organization to ensure that it meets EPA requirements. Recovery equipment intended for use with small appliances must be tested under either the ARI 740-1993 protocol or Appendix C of the final rule.

The Agency requires recovery efficiency standards that vary depending on the size and type of air-conditioning or refrigeration equipment being serviced. Recovery equipment intended for use with small appliances must be able to recover 90 percent of the refrigerant in the small appliance when the small appliance compressor is operating and 80 percent of the refrigerant in the small appliance when the compressor is not operating.

EPA has approved both the Air-Conditioning and Refrigeration Institute (ARI) and Underwriters Laboratories (UL) to certify recycling and recovery equipment. Certified equipment bears a label reading: This equipment has been certified by ARI/UL to meet EPA's minimum requirements for recycling and/ or recovery equipment intended for use with [appropriate category of appliance--e.g., small appliances, HCFC appliances containing less than 200 pounds of refrigerant, all high-pressure appliances, etc.]. Lists of certified equipment may be obtained by contacting ARI at 703-524-8800 and UL at 708-272-8800 ext. 42371.

NOTE: For copies of SAE J1990 and *Method for Testing Recovery Devices for Use With Small Appliances*, call EPA's Stratospheric Ozone Information hotline at 1-800-296-1996.

## **APPENDIX B - SAMPLE REGISTRATION FOR REFRIGERANT RECOVERY EQUIPMENT**

Please note that the sample equipment certification form on the next page is current, even though its OMB number expired previously.

**THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)  
REFRIGERANT RECOVERY OR RECYCLING DEVICE  
ACQUISITION CERTIFICATION FORM**

EPA regulations require establishments that service or dispose of refrigeration or air conditioning equipment to certify by August 12, 1993, that they have acquired recovery or recycling devices that meet EPA standards for such devices. To certify that you have acquired equipment, please complete this form according to the instructions and **mail it to the appropriate EPA Regional Office. BOTH THE INSTRUCTIONS AND MAILING ADDRESSES CAN BE FOUND ON THE REVERSE SIDE OF THIS FORM.**

**PART 1: ESTABLISHMENT INFORMATION**

Name of Establishment	Street
<input type="text"/>	<input type="text"/>
(Area Code) Telephone Number	City State Zip Code
<input type="text"/>	<input type="text"/>
Number of Service Vehicles Based at Establishment	County
<input type="text"/>	<input type="text"/>

**PART 2: REGULATORY CLASSIFICATION**

Identify the type of work performed by the establishment. Check all boxes that apply.

- Type A-Service small appliance
- Type B-Service refrigeration or air conditioning equipment other than small appliances
- Type C-Dispose of small appliances
- Type D-Dispose of refrigeration or air conditioning equipment other than small appliances

**PART 3: DEVICE IDENTIFICATION**

Name of Device(s)Manufacturers	Model Number	Year	Serial Number (if any)	Check Box if Self Contained
1.				<input type="checkbox"/>
2.				<input type="checkbox"/>
3.				<input type="checkbox"/>
4.				<input type="checkbox"/>
5.				<input type="checkbox"/>
6.				<input type="checkbox"/>
7.				<input type="checkbox"/>

**PART 4: CERTIFICATION SIGNATURE**

I Certify that the establishment in Part 1 has acquired the refrigerant recovery or recycling device(s) listed in Part 2, that the establishment is complying with Section 608 regulations, and that the information given is true and correct.

Signature of Owner/Responsible Officer	Date	Name (Please Print)	Title
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Public reporting burden for the collection of information is estimated to vary from 20 minutes to 60 minutes per response with an average of 40 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the collection of information. Send comments regarding ONLY the burden estimates or any other aspects of this collection of information, including suggestions for reducing this burden to Chief, Information Policy Branch, EPA , 401 M St . S.W. (PM-223Y): Washington DC 20480; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington DC 20503, marked Afternoon: Desk Officer of EPA \* DO NOT SEND THIS FORM TO THE ABOVE ADDRESS. ONLY SEND COMMENTS TO THESE ADDRESSES.

## Instructions

**Part 1:** Please provide the name, address, and telephone number of the establishment where the refrigerant recovery of recycling device(s) is (are) located. Please complete one form for each location. State the number of vehicles based at this location that are used to transport technicians and equipment to and from service sites.

**Part 2:** Check the appropriate boxes for the type of work performed by technicians who are employees of the establishment. The term 'small appliance' refers to any of the following products that are fully manufactured, charged, and hermetically sealed in a factory with five pounds or less of refrigerant: refrigerators and freezers designed for home use, room air conditioners (including window air conditioners and packaged terminal air conditioners), packaged terminal heat pumps, dehumidifiers, under-the-counter ice makers, vending machines, and drinking water coolers.

**Part 3:** For each recovery or recycling device acquired, please list the name of the manufacturer of the device, and (if applicable) its model number and serial number.

If more than 7 devices have been acquired, please fill out an additional form and attach it to this one. Recovery devices that are self-contained should be listed first and should be identified by checking the box in the last column on the right. Self-contained recovery equipment means refrigerant recovery or recycling equipment that is capable of removing the refrigerant from an appliance without the assistance of components contained in the appliance. On the other hand, system-dependent recovery equipment means refrigerant recovery equipment that requires the assistance of components contained in an appliance to remove the refrigerant from the appliance.

If the establishment has been listed as Type B and/or Type D in Part 2, then the first device listed in Part 3 must be a self-contained device and identified as such by checking the box in the last column on the right.

If any of the devices are homemade, they should be identified by writing 'homemade' in the column provided for listing the name of the device manufacturer. Type A or Type B establishments can use homemade devices manufactured before November 15, 1993. Type C or Type D establishments can use homemade devices manufactured anytime. If, however a Type C or Type D establishment is using homemade equipment manufactured after November 15, 1993, then it must not use these devices for service jobs.

**Part 4:** This form must be signed by either the owner of the establishment or another responsible officer. The person who signs is certifying that the establishment has acquired the equipment, that the establishment is complying with Section 608 regulations, and that the information provided is true and correct.

## EPA Regional Offices

Send your form to the EPA office listed under the state or territory which the establishment is located.

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

CAA 608 enforcement Contact: **EPA Region I**,  
Mail Code APC, JFK Federal Building  
One Congress Street  
Boston, MA 02203

New York, New Jersey, Puerto Rico, Virgin Islands

CAA 608 enforcement Contact: **EPA Region II**,  
Jacob K.Javits Federal Building, Room 5000  
26 Federal Plaza  
New York, NY 10278

Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

CAA 608 Enforcement Contact: **EPA Region III**,  
Mail Code 3AT21, 841 Chestnut Building,  
Philadelphia, PA 19107

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

CAA 608 Enforcement Contact: **EPA Region IV**,  
Mail Code APT-AE, 345 Courtland Street, NE,  
Atlanta, GA 30365

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

CAA 608 Enforcement Contact: **EPA Region V**,  
Mail Code AT18J, 77 W. Jackson Blvd  
Chicago, IL 60604

Arkansas, Louisiana, New Mexico, Oklahoma, Texas

CAA 608 Enforcement Contact: **EPA Region VI**,  
Mail Code 6T-EC, First Interstate Tower at  
Fountain Place, 1445 Ross Ave., Suite 1200,  
Dallas, TX 75202

Iowa, Kansas, Missouri, Nebraska

CAA 608 Enforcement Contact: **EPA Region VII**,  
Mail Code ARTX/ARBR, 726 Minnesota Ave.,  
Kansas City, KS 66101

Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

CAA 608 Enforcement Contact: **EPA Region VIII**,  
Mail Code 8AT-AP, 999 18<sup>th</sup> Street, Suite 500,  
Denver, CO 80202

American Samoa, Arizona, California, Guam, Hawaii, Nevada

CAA 608 Enforcement Contact: **EPA Region IX**,  
Mail Code A-3, 75 Hawthorne Street  
San Francisco, CA 94105

Alaska, Idaho, Oregon, Washington

CAA 608 Enforcement Contact: **EPA Region X**,  
Mail Code AT-082, 1200 Sixth Ave.,  
Seattle, WA 98101

## APPENDIX C - MAILING ADDRESSES FOR CERTIFICATIONS

Owners or lessees of recycling or recovery equipment must mail their equipment certification(s) to the **CAA Section 608 Enforcement Contact** in their regional EPA office. Those offices, and the states they include, are listed below.

### *EPA Regional Offices Listed by State*

Alabama	IV
Alaska	X
American Samoa	IX
Arizona	IX
Arkansas	VI
California	IX
Colorado	VIII
Connecticut	I
Delaware	III
District of Columbia	III
Florida	IV
Georgia	IV
Guam	IX
Hawaii	IX
Idaho	X
Illinois	V
Indiana	V
Iowa	VII
Kansas	VII
Kentucky	IV
Louisiana	VI
Maine	I
Maryland	III
Massachusetts	I
Michigan	V
Minnesota	V
Mississippi	IV
Missouri	VII
Montana	VIII
Nebraska	VII
Nevada	IX
New Hampshire	I
New Jersey	II

New Mexico	VI
New York	II
North Carolina	IV
North Dakota	VIII
Ohio	V
Oklahoma	VI
Oregon	X
Pennsylvania	III
Puerto Rico	II
Rhode Island	I
South Carolina	IV
South Dakota	VIII
Tennessee	IV
Texas	VI
Utah	VIII
Vermont	I
Virgin Islands	II
Virginia	III
Washington	X
West Virginia	III
Wisconsin	V
Wyoming	VIII



**US EPA REGION I**  
John F. Kennedy Federal Building  
Boston, MA 02203-0001

Connecticut, Maine, Massachusetts, New  
Hampshire, Rhode Island, Vermont

**US EPA REGION II**  
290 Broadway  
New York, NY 10007-1866

New Jersey, New York and the territories of Puerto  
Rico, U.S. Virgin Islands

**US EPA REGION III**  
1650 Arch Street  
Philadelphia, PA 19103

Delaware, District of Columbia, Maryland,  
Pennsylvania, Virginia, West Virginia

**US EPA REGION IV**  
61 Forsyth Street, S.W.  
Atlanta, GA 30303

Alabama, Florida, Georgia, Kentucky, Mississippi,  
North Carolina, South Carolina, Tennessee

**US EPA REGION V**  
77 Jackson Boulevard  
Chicago, IL 60604-3507

Illinois, Indiana, Michigan, Minnesota, Ohio,  
Wisconsin

**US EPA REGION VI**  
Fountain Place 12<sup>th</sup> Floor Suite 1200  
1445 Ross Avenue  
Dallas, TX 75202-2733

Arkansas, Louisiana, New Mexico, Oklahoma,  
Texas

**US EPA REGION VII**  
726 Minnesota Avenue  
Kansas City, KS 66101

Iowa, Kansas, Missouri, Nebraska

**US EPA REGION VIII**  
999 18<sup>th</sup> Street Suite 500  
Denver, CO 80202

Colorado, Montana, North Dakota, South Dakota,  
Utah, Wyoming

**US EPA REGION IX**  
76 Hawthorne Street  
San Francisco, CA 94105

American Samoa, Arizona, California, territories of  
Guam, Hawaii, Nevada

**US EPA REGION X**  
1200 Sixth Avenue  
Seattle, WA 98101

Alaska, Idaho, Oregon, Washington

## APPENDIX D SAMPLE CERTIFICATION AND CONTRACT LANGUAGE

EPA's regulations generally became effective on July 13, 1993 and contain many requirements applicable to the scrap processing and recycling industry. The EPA regulations require scrap processors to obtain a certification from their suppliers that the refrigerant has been evacuated from the small appliance or shipment of small appliances.<sup>1</sup> To comply with the certification requirement, ISRI has prepared the following sample certification language. Note that in its regulations, EPA provides that certification may be by shipment or, for regular suppliers, by contract if the processor prefers. Thus, ISRI has provided two options for certification language, depending upon the method selected by the member:

### **Option 1 -- By Contract**

This language may be used in contracts with regular suppliers, thus avoiding certification by shipment from these suppliers. The contract need not specify the name or address of the person actually recovering the refrigerant. The following contract language may be used:

Seller certifies that all refrigerant (including but not limited to chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs), as defined in § 608 of the Clean Air Act Amendments and 40 CFR Part 82) that has not leaked previously will be recovered from appliances to be delivered under this contract of sale prior to delivery. Seller further agrees to indemnify and hold           (Company name)           harmless from any claim, penalty, fine, fee, cost, attorney's fees, or other liability resulting in whole or in part from seller's breach of this certification.

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<sup>1</sup> EPA defines "small appliances" to be any of the following products that are fully manufactured, charged, and hermetically sealed in a factory with five (5) pounds or less of refrigerant: refrigerators and freezers designed for home use, room air conditioners (including window air conditioners and packaged terminal air conditioners), packaged terminal heat pumps, dehumidifiers, under-the-counter ice makers, vending machines, and drinking water coolers. 40 CFR § 82.152(v). Note that motor vehicle air conditioners are considered appliances by EPA for the purposes of this regulation and also are covered by the certification requirement.

**Option 2 -- Certification By Shipment/Item**

[COMPANY LETTERHEAD]

Notwithstanding any warranty or limitation of warranty herein, Seller certifies that to the best of his knowledge, all refrigerant (including but not limited to chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) as defined in § 608 of the Clean Air Act Amendments and 40 CFR Part 82) -- [Check One]

that had not leaked previously has been recovered from the appliance or shipment of appliances delivered under this sale.  
The refrigerant has been removed by (name) \_\_\_\_\_  
\_\_\_\_\_, located at (address)  
\_\_\_\_\_, on  
(day, month, year) \_\_\_\_\_.

has leaked previously from the appliance or shipment of appliances delivered under this sale.

Seller further agrees to indemnify and hold [company name] harmless from any claim, penalty, fine, fee, cost, attorney s fees, or other liability resulting in whole or in part from seller s breach of this certification.

Seller: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date Signed \_\_\_\_\_