



Site: _____ EPA #: _____ Date: _____

Legitimate HSM Recycling Criteria Checklist

INSPECTION ITEM	CITATION	COMMENTS
Determinations for legitimate recycling of hazardous secondary materials must include all of the following three factors to be complete:	R315-260-43(a)	
<p><i>The HSM provides a useful contribution to the recycling process or to a product or intermediate of the recycling process:</i></p> <p>The HSM contributes valuable ingredients to a product or intermediate; OR</p> <p>The HSM replaces a catalyst or carrier in the recycling process; OR</p> <p>The HSM is the source of a valuable constituent recovered in the recycling process; OR</p> <p>The HSM is recovered or regenerated by the recycling process; OR</p> <p>The HSM is used as an effective substitute for a commercial product</p>	<p>R315-260-43(a)(1)</p> <p>R315-260-43(a)(1)(i)</p> <p>R315-260-43(a)(1)(ii)</p> <p>R315-260-43(a)(1)(iii)</p> <p>R315-260-43(a)(1)(iv)</p> <p>R315-260-43(a)(1)(v)</p>	
<p><i>The recycling process must produce a valuable product or intermediate. The product or intermediate is valuable if:</i></p> <p>It is sold to a third party; OR</p> <p>It is used by the recycler or the generator as an effective substitute for a commercial product, or as an ingredient or intermediate in an industrial process</p>	<p>R315-260-43(a)(2)</p> <p>R315-260-43(a)(2)(i)</p> <p>R315-260-43(a)(2)(ii)</p>	
<p><i>The HSM is managed as a valuable commodity by both generator and recycler, while under their control:</i></p> <p>Where there is an analogous raw material, the HSM is managed, at a minimum, in a manner consistent with the management of that raw material, or in an equally protective manner</p> <p>Where there is no analogous raw material, the HSM is contained</p> <p><i>Note: HSM's that are released to the environment, and are not recovered immediately are discarded, and are solid wastes.</i></p>	R315-260-43(a)(3)	



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<p><i>The following factor shall also be considered in regards to the recycling activity:</i></p> <p>The product of the recycling process does <u>NOT</u>:</p> <p style="padding-left: 40px;">Contain significant concentrations of any hazardous constituents found in R315-261-1092 that are not found in analogous products,</p> <p style="text-align: center;">OR</p> <p style="padding-left: 40px;">Contain concentrations of hazardous constituents found in R315-261-1092 at levels that a significantly elevated from those found in analogous products,</p> <p style="text-align: center;">OR</p> <p style="padding-left: 40px;">Exhibit a hazardous characteristic that analogous products do not exhibit</p>	<p>R315-260-43(b)</p> <p>R315-260-43(b)(1)</p> <p>R315-260-43(b)(1)(i)</p> <p>R315-260-43(b)(1)(ii)</p> <p>R315-260-43(b)(1)(iii)</p>	
<p>If the factor considered above (R315-260-43(b)) is not believed to be met, then this may be an indication that the material is not legitimately recycled. However, the factor does not have to be met for the recycling to be considered legitimate. The following can be considered in this case, to still attempt to justify legitimacy:</p> <ol style="list-style-type: none"> 1. An assessment of exposure from toxics in the recycled product 2. The bioavailability of the toxics in the recycled product 3. Other relevant considerations about the recycled product 	<p>R315-260-43(b)(2)</p>	