

SUBPART 361-7

ELECTRONICS HANDLING AND RECOVERY FACILITIES

- 361-7.1 Applicability
- 361-7.2 Permit By Rule
- 361-7.3 Record Keeping and Reporting Requirements
- 361-7.4 Individual Permit Application Requirements

**Section 361-7.1      Applicability**

(a) This Subpart regulates permanent electronics handling and recovery facilities. The requirements for a collection program for a single-day or multiple day collection event for electronic wastes are contained in section 362-3 of this Title.

**Section 361-7.2      Permit By Rule**

Electronics handling and recovery facilities are eligible for a permit by rule under Section 360.13 provided the facility complies with the closure requirements of Part 360 and the operational requirements specified below.

(a) Facilities designed for dismantling electronic waste for the purpose of recovery and recycling of electronics or their component parts must comply with the following:

(1) prior to commencing operation, the individual, corporation, partnership or organization must notify DEC, pursuant to paragraph 371.1(c)(7) of this title, of the intent to use the scrap metal exemption pursuant to paragraph 371.1(g)(1)(iii)(b) of this Title;

(2) scrap metal components of the electronics waste must be recovered from the electronics and recycled or sent for recycling;

(3) collected electronics must be securely kept in containers, on vehicles, or indoors (protected from weather);

(4) all electronics wastes must be removed from the site within 180 days of being accepted at the facility;

(5) all non-electronics wastes, such as boxes, shrink wrap and other solid waste must be removed from the site within thirty days of being accepted or generated at the facility, unless the facility also has a permit to rule under Subpart 361-1 of this Part;

(6) the facility must have a means to control entry, at all times, through gates or other entrances to the active portion of the facility;

1 (7) the facility must maintain aisle space to allow the unobstructed movement of  
2 personnel, fire protection or suppression equipment, and decontamination equipment to any area  
3 of facility operation in an emergency; and  
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5 (8) the facility operator must provide for refresher training at least once per year on the  
6 proper management of used electronics to employees involved in handling used electronics.  
7 This training is in addition to any other employee training that is required by federal or State law  
8 or regulation.  
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10 **Section 361-7.3 Record Keeping and Reporting Requirements**

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12 Electronics handling and recovery facilities that are permit by rule under this Subpart must:

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14 (a) Maintain daily records for facility monitoring. This monitoring information must include a  
15 daily log specifying the date, quantity, type, and origin of electronics received and processed and  
16 the quantity and destination of electronics removed from the facility. These records must  
17 account for all materials handled at the facility. For commercial and industrial generators, the  
18 daily log must include the generators name and address, or a copy of the generator's exemption  
19 under Section 371.1(c)(7) of this Title.  
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21 (b) Prepare and file an annual report with the Department's regional office in which the facility  
22 is located, on a form prescribed by or acceptable to the Department. The annual report must  
23 include a summary of the daily records.  
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25 **Section 361-7.4 Individual Permit Application Requirements**

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27 The owner or operator of an electronics handling and recovery facility that is not an exempt  
28 facility and is not a permit by rule facility must obtain an individual permit to construct and  
29 operate such facility in accordance with Section 360.15 of this Title (Non-specific facility)