

MINUTES – NEWMOA CONFERENCE CALL 1/9/07

“Regulation of Spent Precious Metals Including Spent Photo Fixer”

The following summarizes the comments made during this teleconference.

Connecticut:

- Speculative accumulation of precious metals for 1-year maximum
- Containers of precious metals must be marked with accumulation start date and contents
- Recyclers must register
- Biennial report must include recycling data/numbers
- Require generators to show proof of payment for recovered precious metals
- Economically significant quantities of precious metals must be recovered, so a net gain is achieved
- CVS/Qualex do not agree with Connecticut’s interpretation of economically significant quantities with regard to photo fixer
- Connecticut also submitted 4 attachments related to the State’s precious metals program

Maine:

- Currently require photo fixer to be handled as hazardous waste
- Preparing plan for best management practices for photo fixer

New Hampshire:

- New Hampshire has “streamlined” requirements for precious metal bearing waste
- Generators of precious metal bearing waste must notify
- Speculative accumulation of precious metal bearing waste is not permitted
- Generators must use a manifest when shipping precious metal bearing waste off-site
- Photo fixer waste is regulated under the Federal Regulations
- New Hampshire submitted 2 attachments related to the State’s precious metals program

New Jersey:

- Precious metal bearing waste (including photo processing waste) is regulated under the Federal Regulations
- Inspected 88 photo processors in Hudson county during an enforcement initiative, but no RCRA violations were found
- Reached \$250,000 settlement with Veridium Corporation (a.k.a. KBF) a former metal recycler
- Veridium, among other violations, had improperly stored 29,000 pounds of hazardous waste that was originally scheduled for on-site reclaiming/recovery

New York:

- Precious metal bearing waste (including photo processing waste) is regulated under the Federal Regulations

- State has a “C-7 Notification” requirement (over and above the Federal requirement) for any facility engaging in recycling
- Questioned whether the EPA expected a net positive return when drafting the precious metal recovery requirements
- New York submitted a copy of the preamble language from EPA’s 4/4/83 precious metal rule proposal, which addresses “net positive return”.

Rhode Island:

- Precious metal bearing waste (including photo processing waste) is regulated under the Federal Regulations
- Requires precious metals to be “economically recoverable” in order for generator to get the exemption
- The generator must achieve a net positive gain
- Running a 3-4 year inspection schedule of recyclers

“Chem Gone Unit”:

- Manufacturer claims this unit “ties-up” metals found in waste, and makes it non-hazardous
- This unit has been found in a variety of states
- Manufactured by Benco Distributors
- Questions remain as to whether or not this unit works as advertised