

New Hampshire has streamlined requirements for hazardous wastes that contain economically significant quantities of precious metals.

A generator of precious metals only has to adhere to the following requirements provide the precious metals are being recovered:

1. Notification of hazardous waste activities; and
2. Manifesting of the hazardous waste.

The generator may not accumulate the waste speculatively.

Generators who are not having the precious metals recovered, accumulating speculatively or managing the wastes in a manner that threatens human health or the environment are subject to all of the generator regulations under the Hazardous Waste Rules.

Excerpt from the New Hampshire Hazardous Waste Rules:

PART 808 RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL RECOVERY

Env-Wm 808.01 Precious Metals. "Recyclable materials utilized for precious metal recovery" means recyclable materials that are reclaimed to recover economically significant amounts of gold, silver, platinum, palladium, iridium, osmium, rhodium, ruthenium, or any combination of these.

Source. (See Revision Note at PART Heading for Env-Wm 110) #5053, eff 1-24-91; ss by #5886, eff 8-26-94; ss by #7333, eff 8-1-00

Env-Wm 808.02 Generator Requirements. Persons who generate recyclable materials that are regulated under Env-Wm 808 shall be subject to the following requirements:

- (a) Notification requirements of Env-Wm 500; and
- (b) Manifest requirements of Env-Wm 500.

Source. (See Revision Note at PART Heading for Env-Wm 110) #5053, eff 1-24-91; ss by #5886, eff 8-26-94; ss by #7333, eff 8-1-00

Env-Wm 808.03 Transporter Requirements. Persons who transport recyclable materials that are regulated under Env-Wm 808 shall be subject to the following requirements:

- (a) Notification requirements of Env-Wm 603;
- (b) Manifest requirements of Env-Wm 604;
- (c) Delivery requirements of Env-Wm 606; and
- (d) Registration requirements of Env-Wm 609.

Source. (See Revision Note at PART Heading for Env-Wm 110) #5053, eff 1-24-91; ss by #5886, eff 8-26-94; ss by #7333, eff 8-1-00; ss by #7578, eff 10-13-01

Env-Wm 808.04 Storage Facility Requirements. Persons who store recyclable materials that are regulated under Env-Wm 808 shall be subject to the following requirements:

- (a) Notification requirements of Env-Wm 700;
- (b) Manifest requirements of Env-Wm 700; and
- (c) The following record maintenance requirements, to document that the materials are not being accumulated speculatively, as determined under Env-Wm 811:
 - (1) Records shall be kept that show the volume of these materials stored at the beginning of the calendar year;
 - (2) Records shall be kept that show the amount of these materials generated or received during the calendar year; and
 - (3) Records shall be kept that show the amount of materials remaining at the end of the calendar year.

Source. (See Revision Note at PART Heading for Env-Wm 110) #5053, eff 1-24-91; ss by #5886, eff 8-26-94; ss by #7333, eff 8-1-00

Env-Wm 808.05 Speculative Accumulation of Recyclable Materials Utilized for Precious Metal Recovery. Recyclable materials regulated under Env-Wm 808 that are accumulated speculatively, as determined under Env-Wm 811, shall be regulated as hazardous wastes and shall be subject to the hazardous waste rules.

Source. (See Revision Note at PART Heading for Env-Wm 110) #5053, eff 1-24-91; ss by #5886, eff 8-26-94; ss by #6384-B, eff 11-26-96; ss by #7333, eff 8-1-00

Env-Wm 808.06 Case-by-Case Regulation of Recyclable Materials Utilized for Precious Metal Recovery.

(a) Notwithstanding the provisions of Env-Wm 804.02(e), persons accumulating or storing recyclable materials utilized for precious metal recovery shall be regulated under Env-Wm 500, Env-Wm 600 and Env-Wm 700, if the materials are being stored or accumulated in a manner that does not protect human health and the environment.

(b) In accordance with the procedures of 40 CFR 260.41, 7-1-99 edition, the commissioner, or designee, shall decide on a case-by-case basis whether persons accumulating or storing recyclable materials from which precious metals are reclaimed shall be regulated under Env-Wm 500, Env-Wm 600, and Env-Wm 700.

(c) The basis for imposing increased regulation shall be that the materials are being accumulated or stored in a manner that does not protect human health and the environment because:

- (1) The materials or their toxic constituents have not been adequately contained; or
- (2) The materials being accumulated or stored together are incompatible.

(d) In making the decision to impose increased regulation, the commissioner shall consider the following factors:

- (1) The types and amounts of materials being accumulated or stored;
 - (2) The method of accumulation or storage;
 - (3) The length of time the materials have been accumulated or stored before being reclaimed;
 - (4) Whether any contaminants are being released into the environment, or are likely to be so released; and
 - (5) Other factors relating to the materials' impact on public health and the environment.
- (e) Prior to imposing increased regulation, the commissioner shall notify the person and provide the person with an opportunity for a hearing to show cause why the increased regulation should not be imposed. Hearings held pursuant to this section shall be conducted in accordance with Env-C 204.

Source. (See Revision Note at PART Heading for Env-Wm 110) #5053, eff 1-24-91; ss by #5886, eff 8-26-94; amd by #7207-B, eff 2-26-00; ss by #7333, eff 8-1-00