

## DEPARTMENT OF HEALTH SERVICES

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P.O. BOX 942732

SACRAMENTO, CA 94234-7320

(916) 324-1807



December 6, 1990



Mr. Sherman Thompson  
Clean America Recycling  
6031 Fenley Drive  
Huntington Beach, CA 92647

Dear Mr. Thompson:

This is in response to your October 27, 1990 request for confirmation that the recycling of waste antifreeze by a mobile recycling service would be exempt from permit requirements if the recycled antifreeze were to be used at the generator's site and the other conditions of Section 25143.2(d)(1), Chapter 6.5, Division 20 of the Health and Safety Code (HSC) were met. A copy of Section 25143.2 HSC has been included with this response.

Section 25143.2(d)(1) HSC provides that non-RCRA hazardous waste are not considered "wastes" under the chapter if they can be shown to be recycled and used at the site where the material was generated and they are not subject to the provisions in subdivision(e) of the same section. Therefore, the waste antifreeze can be recycled by a treatment system permanently fixed at the generating location or by a mobile treatment unit so long as the recycled antifreeze is used at the same site where it was generated and is not subject to the provisions found in subdivision (e) of the Section 25143.2 HSC.

Assembly Bill 2834 (Chapter 1686) revises Section 25143.2 HSC and becomes effective January 1, 1991. It will require additional recordkeeping and management requirements for those who recycle under paragraph (d)(1). You can get a copy of AB 2834 by calling the Legislative Bill Room at (916) 445-2323. If you have any questions concerning this letter please contact Leif Peterson at the letterhead address or telephone (916) 322-1005.

Sincerely,

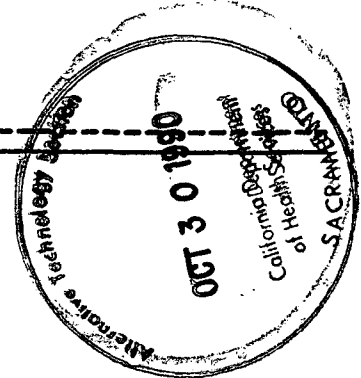
Robert McCormick  
Alternative Technology Division  
Toxic Substances Control Program

Enclosure

RM:LP/db

# CLEAN AMERICA RECYCLING

6031 Fenley Drive  
Huntington Beach, California  
92647  
(714) 843-6474



October 27, 1990

Mr. Bob McCormack  
State of California  
Department of Health Services  
Toxic Substances Control Program  
Alternative Technology Section  
Sacramento, California

RE: REQUEST FOR WRITTEN CONCURRENCE

Subject: Exemption From Permitting Requirements From DOHS for  
On-Site Recycling of AntiFreeze Coolant Containing  
Ethylene Glycol

Reference: California Health & Safety Code - Section 25143.2, (d), 1

Dear Mr. McCormack,

Reaffirming our telephone conversations, the most recent on October 24, 1990, this letter is in response to your request for a written request for concurrence with the State of California regarding the above subject.

CLEAN AMERICA RECYCLING operates a mobile on-site recycling service that recycles used AntiFreeze coolant (ethylene glycol) at various locations. The generators of such "material" could be private and municipal (state, county, city, etc.) fleet service departments, radiator shops, etc.

In accordance to Section 25143.2, (d), 1 of the California Health & Safety Code, our service is EXEMPT from permitting (TTU) because the "material" is: (1) generated, (2) recycled, (3) ReUsed at the place where the material was generated. CLEAN AMERICA RECYCLING operates under the above in a safe, and legal manner at all times.

Please respond to this request as soon as possible as your concurrence is needed to complete our marketing package.

Thank you for your expedited assistance.

Respectfully submitted,

Sherman (Al) Thompson. R.E.A.  
Associate  
CLEAN AMERICA RECYCLING

