



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

May 28, 1999

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (Z 332 011 154)

Mr. John Doe, President
ACME Auto Salvage, Inc.
1234 Main Street
Houston, TX 77777

Re: Auto Salvage Settlement Offer Docket No. VI-99-XXXX
NPDES No. TXU005168

Dear Auto Salvage Professional:

The Environmental Protection Agency (EPA) has identified you as an auto salvage yard without a National Pollutant Discharge Elimination System (NPDES) storm water permit. The purpose of this letter is for you to evaluate your compliance under the Clean Water Act and to give you an opportunity to resolve any violations.

Auto Salvage yards contribute to the impairment of water quality when their storm water runoff is not properly managed. EPA has identified Galveston Bay area watershed as an impaired water body and has initiated activities designed to reduce the amount of uncontrolled runoff of pollutants. EPA has performed numerous outreach activities for businesses, and it is our goal that all auto salvage yards comply with the NPDES program so that we can protect our precious water resources.

Enclosed you will find an Instructions flow chart that walks you through the process of determining your compliance status as well as an expediated method to resolve any non-compliance. You may use the flow chart to determine an appropriate response to EPA. If you determine you are not in compliance, EPA is making this offer for you to settle these violations for a penalty that is lower than would otherwise be assessed (see enclosed Instructions). You should be able to evaluate your response in a few days. Therefore, we would expect you to respond to EPA within thirty (30) days.

Additional information on storm water compliance may be found on the Internet at <http://www.epa.gov/region6/sw> or you can telephone the EPA Region 6 Storm Water Hotline at (800) 245-6510. Please contact Mr. Taylor Sharpe at (214) 665-7112 if you have questions regarding the settlement or compliance.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert V. Murphy".

Robert V. Murphy
Branch Chief

Water Enforcement Branch

Enclosures
cc: next page

cc: Mr. John Young, Manager
Water and Multi-media Section
Enforcement Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711

Mr. Thomas J. Rolen,
Deputy Director, Maintenance
and Right-of-Way Group,
Department of Public Works and Engineering
812 Gillette
Houston, TX 77019

Sgt. Mike S. Walsh,
Environmental Investigations Unit
Houston Police Department
2931 W. 12th St.
Houston, TX 77008-6113

Mr. Tom Collins, Chief Inspector
City of Houston
2931 West 12th St.
Houston, TX 77008

Ms. Sheila Wheeler
Harris County Pollution Control
P.O. Box 6031
Pasadena, TX 77506

Sgt. W. D. Ruland
Harris County Constable
301 San Jacinto, Room 310
Houston, TX 77002

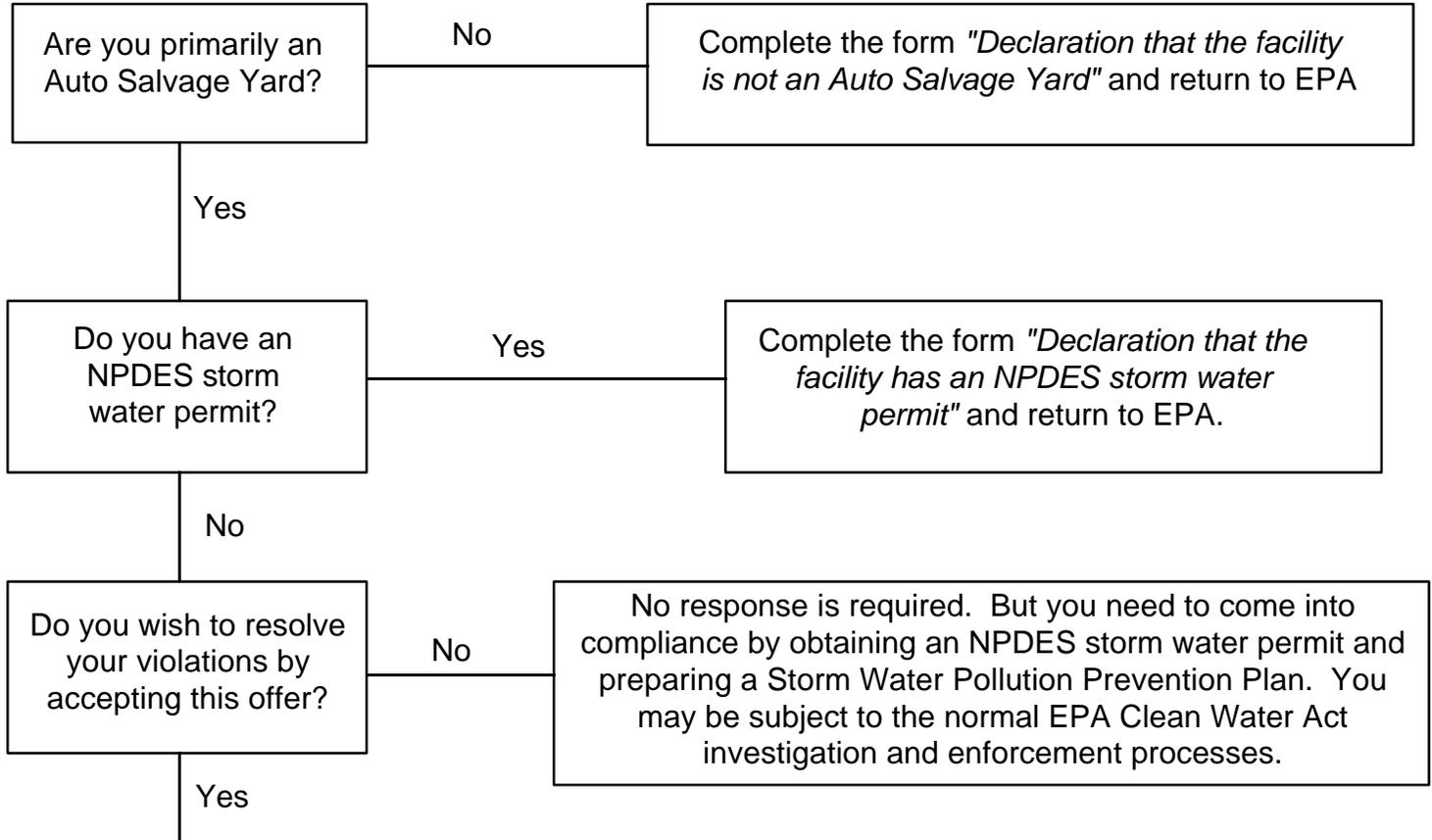
Ms. Linda Pechacek
Turner Collie & Braden
5757 Woodway
Houston, TX 77057



Instructions

Auto Salvage Initiative for NPDES Storm Water Compliance
EPA Region 6 - Texas Facilities

Start Here



Expedited Settlement Offer

Complete the *Penalty Calculation Form* to determine the penalty amount. Write this penalty amount in the Consent Order (CO) and sign the CO.

Return both the *Penalty Calculation Form* and CO to EPA Region 6. EPA will file a Complaint alleging the violations with the Hearing Clerk and will then file the CO after the expiration of the public comment period. Once the CO is filed and signed by EPA, the terms of the CO will be binding. Penalty payment to the US Treasury will be due by September 1, 1999.

Promptly prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the Storm Water Multi-Sector General Permit (MSGP). Complete the enclosed Notice of Intent (NOI) application form for NPDES storm water permit coverage and mail it to EPA in Washington DC (see instructions on the back side of the NOI). Do not send the SWPPP to EPA unless we ask you to do so.

All correspondence to EPA, other than the NOI, should be sent to:

US EPA Region 6
Attn: Mr. Taylor Sharpe (6EN-WT)
P.O. Box 50625
Dallas, TX 75250





Legal References

Section 301 of the Clean Water Act (PL 92-500, 33 USC § 1251 et seq.) requires a National Pollutant Discharge Elimination System (NPDES) permit to discharge pollutants to waters of the United States, as those terms are defined at 40 C.F.R. 122.2.

The Clean Water Act was amended February 4, 1987, (PL 100-4), to specify the regulation of storm water discharges in the NPDES program. "Storm water discharge associated with industrial activity" (industrial activity" was defined at 40 C.F.R. 122.26(b)(14) to determine who needed NPDES permits and this definition includes auto salvage yards in category (vi).

Section 402(p) of the Clean Water Act authorized the issuance of NPDES storm water permits. The first NPDES storm water general permit available to your facility was the Baseline Industrial general permit issued September 9, 1992. Facilities subject to these regulations were required to comply with the NPDES program for your storm water discharges by October 1, 1992. The Baseline Industrial general permit has since expired and been replaced by the Multi-Sector General Permit (MSGP) [60 Fed. Reg. 50804, September 29, 1995]. The MSGP is the appropriate general permit for storm water discharges from industrial activities including auto salvage yards.

Section 309 of the Clean Water Act authorizes federal enforcement of NPDES violations. This includes civil penalties of up to \$27,500 per day per violation for penalties where the violator accidentally or unknowingly violated the Act. Criminal penalties are also addressed in Section 309 of the Act for negligent, knowing, knowing endangerment, or false statement violations of the act and may include both monetary penalties and imprisonment.

Title 18 Section 1001 provides criminal penalties for knowingly providing false information to government officials in regards to compliance with federal laws.



PENALTY CALCULATION FORM

ACME Auto Salvage, Inc.

INSTRUCTIONS: The following is the formula which will determine the amount of the proposed penalty. A "responsible official" representing the owner or operator of the auto salvage yard shall insert the accurate numbers in the chart below. The "responsible official" is defined as the person who makes the principal business decisions for the auto salvage yard. The responsible official shall also certify the accuracy of the information. However, be aware that in the event false information is provided, the responsible official and your company will be subject to criminal and civil sanctions pursuant to Title 18 Section 1001 of the United States Code. The Total Settlement Amount will be inserted at paragraph 12 of the Consent Order, and you will be required to pay this penalty amount in the event that you choose to accept this offer from EPA.

Base Penalty for operating without a permit:

\$1,000

Number of vehicle bodies on site
at the date of your response: _____ X \$5 ==>

+

Total Settlement Amount (not to exceed \$5,000)

\$

Certification

"I certify under penalty of law that I have examined and am familiar with the information provided above and used it to determine the penalty amount. I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment."

Signature

Date

Printed Name

Title (e.g. Owner, President)

Legal Name of Facility

Auto Salvage Yard's Mailing Address

Telephone Number (with Area Code)

Drivers License Number



Declaration that facility is not an Auto Salvage yard

ACME Auto Salvage, Inc.

INSTRUCTIONS: Auto salvage yards are defined as establishments primarily engaged in the distribution at wholesale or retail of used motor vehicle parts. This industry includes establishments primarily engaged in dismantling motor vehicles for the purpose of selling parts (SIC Code 5015). If you do not own or operate an auto salvage yard, a "responsible official" representing the owner or operator of your facility should certify to EPA that the facility is not an auto salvage yard. The responsible official is defined as the person who makes the principal business decisions for the facility. However, be aware that in the event false information is provided, the responsible official and your company will be subject to criminal and civil sanctions pursuant to Title 18 Section 1001 of the United States Code.

Certification

"I certify under penalty of law that the facility listed below is **not** operated as an auto salvage yard. I am familiar with the operation of the facility and know the activities undertaken at the facility. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment. I further certify that my activities at the facility are best described by the 4-digit Standard Industrial Classification code specified below. If there is no business activity at the facility, check the "Out of Business" box."

SIC Code

Your SIC code can be found below your address on your Texas Sales & Use Tax Permit or in the reference section of your Library.

Out of Business

Signature

Date

Name Printed

Title of Position Held (e.g. President, Owner)

Drivers License Number

Facility's Legal Name

Physical Address

Mailing Address

Telephone Number(s)



Declaration that facility has an NPDES Storm Water Permit

ACME Auto Salvage, Inc.

INSTRUCTIONS: In the event that your auto salvage yard already has an NPDES Storm Water Permit, a "responsible official" representing the owner or operator of your auto salvage yard should certify to EPA that the auto salvage yard has an NPDES permit. The responsible official is defined as the person who makes the principal business decisions for the facility. However, be aware that in the event false information is provided, the responsible official and your company will be subject to criminal and civil sanctions pursuant to Title 18 Section 1001 of the United States Code.

Certification

"I certify under penalty of law that the auto salvage yard named below has an NPDES Storm Water Permit. The number of the permit is also listed below. I am familiar with the operation of the auto salvage yard and know of the activities undertaken at the facility to comply with the permit including preparing and implementing a Storm Water Pollution Prevention Plan. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment."

NPDES Permit No.

T	X	R	0	5				
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Signature

Date

Name Printed

Title of Position Held
(e.g. President, Owner)

Drivers License Number

Facility's Legal Name

Physical Address

Mailing Address

Telephone Number(s)

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

In the Matter of	§	Docket No. VI-99-XXXX
	§	
ACME AUTO SALVAGE, INC.	§	
	§	
Respondent	§	
	§	CONSENT ORDER
NPDES No. TXU005168	§	

I. STATUTORY AUTHORITY

This Consent Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency ("EPA") by Section 309(g) of the Clean Water Act (herein "the Act"), 33 U.S.C. § 1319(g). The Administrator delegated this authority to the Regional Administrator of EPA Region 6. This Consent Order is issued in accord with 40 C.F.R. § 22.18, as described in the proposed amendment to the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, Revocation, Termination, or Suspension of Permits", 63 Fed. Reg. 9464 (February 25, 1998), including Rules related to Administrative Proceedings not governed by § 554 of the Administrative Procedures Act, 40 C.F.R. §§ 22.50-22.53. The Regional Administrator hereby issues Consent Order.

II. CONSENT AGREEMENT

1. The Parties agree that settlement of the relevant matters without litigation will save time and resources, that it is in the public interest, and that the entry of this Consent Order is the most appropriate means of resolving such matters.

2. Respondent admits that EPA has authority to bring this action and issue this Order, and neither admits nor denies any other allegation, finding of fact, or conclusion of law contained in the Complaint, for the purposes of this Consent Order, except as specifically stated herein.

3. Respondent expressly waives the right to a hearing or appeal pursuant to Sections 309(g)(2) or (8) of the Act, 33 U.S.C. §§ 1319(g)(2) or (8), on penalty assessment, or on any other issue of law or fact relevant to this proceeding. Respondent further waives all defenses which have been or could have been raised to the claims set out in the Complaint, and waives the right to judicial review of this administrative penalty assessment.

4. Before the taking of any testimony, and without adjudication of any issue of law or fact, the parties agree to the terms of this Consent Order and to its issuance. Respondent consents to the assessment and payment of a civil penalty, in the amount and by the method stated below.

III. STIPULATIONS

5. ACME Auto Salvage, Inc. ("Respondent") is a corporation doing business in the State of Texas, and as such Respondent is a "person" within the meaning of the Section 502(5) of the Act, 33 U.S.C. § 1362(5).

6. At the relevant times, Respondent owned and operated an auto salvage yard located at:

Mr. John Doe, President
ACME Auto Salvage, Inc.
1234 Main Street
Houston, TX 77777

(herein "the facility"), and the operation of which was the subject of the Complaint.

7. On _____, EPA Region 6 issued to Respondent an Administrative Complaint under Section 309(g) of the Clean Water Act ("the Complaint"), which specified findings of fact and conclusions of law, hereby incorporated by reference, proposed to assess a civil penalty against Respondent, and gave notice of Respondent's opportunity to request a hearing on the proposed administrative penalty assessment.

8. The Complaint alleged, among other things, that, at the relevant times: Respondent was "person" that "owned or operated" a facility that was a "point source" subject to a "discharge" of "pollutants" to identified "waters of the United States", within the meaning of Section 502 of Act, 33 U.S.C. § 1362, and 40 C.F.R. § 122.2; that Respondent and the facility were subject to the provisions of the Act, 33 U.S.C. § 1251 et seq., and the NPDES program; and that Respondent violated Section 301 of the Act, 33 U.S.C. § 1311 by failing to obtain an NPDES permit for storm water discharges.

9. Along with service of the Complaint, the Texas Natural Resource Conservation Commission was notified and given an opportunity to consult with EPA regarding the proposed assessment of an administrative penalty against Respondent.

10. Respondent hereby states that by the date of issuance of this Consent Order, Respondent has obtained NPDES permit coverage by submitting a Notification of Intent (NOI) Application form (form 3510-6) to EPA. Respondent further asserts that Respondent shall expeditiously prepare and implement a Storm Water Pollution Prevention Plan as called for in the NPDES permit.

11. After Respondent executed this Consent Order and returned it to EPA for EPA's signature and issuance, EPA filed a Complaint with the Regional Hearing Clerk, and the public was afforded thirty (30) days in which to comment on the Complaint and the proposed penalty amount pursuant to 40 C.F.R. 22.45. After expiration of the thirty (30) day period, this Consent Order with the appropriate signatures of the Parties was issued by the Regional Administrator and filed with the Regional Hearing Clerk.

IV. PENALTY ORDER

12. Based on the foregoing stipulations, and pursuant to Sections 309(g)(2) and (g)(3) of the Act, 33 U.S.C. §§ 1319(g)(2) and (g)(3), EPA Region 6 hereby ORDERS, that Respondent shall pay to the United States a civil penalty in the amount of _____ DOLLARS to settle and release Respondent from further liability for the claims and allegations in the Complaint. The penalty amount is the amount calculated in the PENALTY CALCULATION FORM as the "Total Settlement Amount" and was based on the number of vehicles at the auto salvage yard at the date of response to this settlement offer.

13. Payment shall be made by mailing a cashier's check or certified check by **September 1, 1999**, payable to "Treasurer of the United States", to the following address:

Regional Hearing Clerk
U.S. EPA, Region 6
P.O. Box 360582M
Pittsburgh, PA 15251

Docket No. VI-99-XXXX should be typed or clearly printed on the check to ensure credit for payment.

14. Respondent shall send simultaneous notice of the payment, including a copy of each check to each of the following:

- (1) Regional Hearing Clerk (6RC-HO)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733
- (2) Chief, Compliance Monitoring (6EN-WC)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733
- (3) Chief, Legal Branch (6RC-LW)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

Respondent's adherence to these procedures will ensure proper credit when payment is received by EPA.

15. If the United States does not receive payment within the time and under the terms specified herein, interest will accrue on the unpaid balance from the due date at the current annual rate prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletin, per annum, through the date of payment. Late payments and final payments shall include all accrued interest.

16. If all or part of the payment is overdue, EPA will impose a late-payment handling charge of \$15, with an additional delinquent notice charge of \$15 for each subsequent 30-day period. EPA will also apply a twenty percent (20%) per annum penalty on any principal amount not paid within ninety (90) days of the due date pursuant to Section 309(g)(9) of the Act, 33 U.S.C. § 1319(g)(9). Penalties under other federal statutes for failure to make timely payment may also apply.

17. Failure by Respondent to pay the penalty assessed according to the terms of this Consent Order, in full, by its due date, may subject Respondent to a civil action to collect the assessed penalty and any accrued interest or penalties.

18. In the event a collection action is necessary, Respondent shall pay - in addition to any applicable penalty, fees, and interest described herein - all reasonable costs and expenses, including legal expenses and court costs, incurred by the United States for enforcement and collection proceedings for nonpayment of the amounts agreed hereunder, pursuant to Section 309(g)(9) of the Act. In any such collection action, the validity, amount, and appropriateness of the penalty, and the terms of this Consent Order, shall not be subject to review.

V. GENERAL PROVISIONS

19. To execute this Agreement, Respondent shall forward this Consent Order, with original signature, to:

Mr. Taylor M. Sharpe
Water Enforcement Branch (6EN-WT)
U.S. EPA Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

20. Issuance of this Consent Order does not relieve Respondent from responsibility to comply with all requirements of the Act and the requirements of any permits issued thereunder, as described in Section 309(g)(7), 33 U.S.C. § 1319(g)(7), nor does it constitute a waiver by EPA of its right to enforce compliance with the requirements of Respondent's permits or other requirements of the Act by actions pursuant to Section 309 of the Act, 33 U.S.C. §§ 1319, except as to any requirement to pay any penalty or perform

any corrective action not described herein for the violations alleged in the Complaint.

21. Each party agrees to bear its own costs and attorneys fees in this matter, except to the extent that Respondent may be responsible for reasonable costs and expenses of enforcement and collection proceedings for failure to comply with the terms of this Consent Order.

22. The provisions of this Consent Order shall be binding upon Respondent, its officers, managers, employees, and their successors or assigns, in their capacity on behalf of Respondent.

VI. EFFECTIVE DATE

23. This Consent Order shall become effective on the date it is signed and dated by the Regional Administrator on behalf of EPA Region 6 unless a petition to the Regional Administrator to set aside the Order is filed by a commenter pursuant to 40 C.F.R. § 22.45. If the Regional Administrator denies the petition, this Consent Order shall become effective thirty (30) days after such denial.

In recognition and acceptance of the foregoing:

Mr. John Doe, President
ACME Auto Salvage, Inc.
1234 Main Street
Houston, TX 77777

Date

Robert V. Murphy
Chief
Water Enforcement Branch
Compliance Assurance and Enforcement Division
Complainant

Date:

Issued this _____ day of _____, 1999.

Gregg A. Cooke
Regional Administrator
U.S. EPA Region 6



Recovering Refrigerant at Salvage Yards and Other Motor Vehicle Disposal Facilities

OZONE PROTECTION HOTLINE TOLL-FREE (800) 296-1996

Until now, EPA regulations have not specifically addressed how refrigerant recovered from a motor vehicle located at a salvage yard, scrap recycling facility, landfill or other motor vehicle disposal facility may be reused after it is recovered. Many service technicians and motor vehicle disposal facility operators have incorrectly believed that EPA requires that refrigerant removed from a motor vehicle bound for disposal must be sent to a reclaimer rather than recycled prior to reuse.

Recycling vs. Reclamation

In the discussion below, recycling means the use of a machine to remove impurities and oil and then recharge the refrigerant into either the same car or a different car. Recycled refrigerant is not as pure as reclaimed refrigerant. Recycling occurs in the service shop.

Reclamation means the removal of all oil and impurities beyond that provided by on-site recycling equipment, and reclaimed refrigerant is essentially identical to new, unused refrigerant. Reclamation cannot be performed in the service shop. Rather, the shop generally sends refrigerant either back to the manufacturer or directly to a reclamation facility.

An EPA rule, effective as of [January 29, 1998](#), contains provisions designed to clarify that automotive service technicians and motor vehicle disposal facility operators may, under certain conditions, recycle and resell refrigerant after it has been recovered from a motor vehicle destined for disposal; at the same time, the provisions in the new rule reiterate how section 609 regulations already in effect restrict these activities so that refrigerant cross-contamination and the release of [ozone-depleting](#) refrigerants into the atmosphere are minimized.

Note that while the new regulation applies to both CFC-12 and all substitutes for CFC-12, the rule does not apply to refrigerant that is extracted from a refrigerator, home air conditioner, or any other appliance, other than a motor vehicle air conditioner (MVAC) or MVAC-like appliance (that is, a piece of farm equipment or heavy duty equipment such as construction, mining or quarry equipment). Refrigerant from these other sources must be sent to a reclaiming facility.

You should also note that certain states and localities may have more stringent requirements for the recovery and disposition of used refrigerant from motor vehicles.

The provisions in the new regulation explicitly allow section 609 certified technicians to recover refrigerant (either CFC-12 or a substitute) from motor vehicles located at disposal facilities, and to take the refrigerant off-site for recycling and re-use at their own service facility. It is also permissible for a motor vehicle disposal facility owner or operator who has purchased recovery equipment to transport the equipment to other motor vehicle disposal facilities in order to perform refrigerant recovery on behalf of those facilities' owners and operators. In addition, owners or operators of motor vehicle disposal facilities are permitted to recover refrigerants from vehicles to be salvaged and to sell that recovered refrigerant to technicians certified under section 609. By promoting markets for used refrigerant recovered from these vehicles, the Agency hopes to provide incentives for the recovery and reuse of refrigerants.

Keep in mind that these activities are only per-mitted as long as certain conditions are met. For several years, EPA has placed limits on how refrigerant at disposal facilities may be recovered. For example, equipment used to evacuate refrigerant must be capable of reducing the system pressure to 4 inches of mercury vacuum. These restrictions are shown in the middle column on the chart on the next page. They will continue, no matter whether refrigerant recovered from a facility is sent to a reclaimer or is returned directly to the MVAC service sector for reuse without prior reclamation.

The provisions in this new rule apply only if the owner or operator of the motor vehicle disposal facility wishes to return refrigerant recovered from an MVAC back to the MVAC service sector for reuse, instead of sending the refrigerant to a reclaimer.

Specifically, the new rule provides that any refrigerant that is not sent off for reclamation may subsequently be used to charge or recharge an MVAC or MVAC-like appliance only if, prior to such charging or recharging, the refrigerant is:

recovered

- using approved refrigerant recycling equipment dedicated for use with MVACs and MVAC-like appliances,
- either by a technician certified under section 609, or by an employee, owner, or operator of (or contractor to) the disposal facility,

and is subsequently recycled

- by the facility that charges or recharges the refrigerant into an MVAC or MVAC-like appliance,
- using approved refrigerant recycling equipment in accordance with any applicable recommended service procedures.

In addition, any ozone-depleting refrigerant extracted from an MVAC or an MVAC-like appliance bound for disposal and located at a motor vehicle disposal facility may either be sent off to be reclaimed or be sold by a motor vehicle disposal facility to a section 609 certified technician, who must then recycle the refrigerant and

use it at his facility. Any section 609 certified technician who obtains such a refrigerant may subsequently re-use it only in an MVAC or MVAC-like appliance. The chart below should further explain what options motor vehicle disposal facility operators have under this new rule.

REGULATIONS FOR REFRIGERANT RECOVERED FROM VEHICLES AT MOTOR VEHICLE DISPOSAL FACILITIES

Italics indicate that the requirement is part of the Dec. 30, 1997 rule

Assuming that refrigerant is recovered from a motor vehicle bound for disposal and located at a motor vehicle disposal facility,		
Questions	if it will be sent off-site to a reclaiming facility, then the answer is:	if it will be sent to an MVAC service facility for charging or recharging into an MVAC or MVAC-like appliance without prior reclamation, then the answer is:
How must refrigerant be recovered?	Refrigerant must be recovered using equipment that reduces the system pressure to 102 mm (4 inches) of mercury vacuum (Sections 82.156(g) and 82.158(1))	Sections 82.156(g) and 82.158(1) (at left) apply, but there is a further restriction: <i>Prior to such charging or recharging, the refrigerant must be recovered using approved refrigerant recycling equipment dedicated for use with MVACs and MVAC-like appliances (Section 82.34(d))</i>
Who can recover the refrigerant?	No restriction in the regulation: anyone can recover; do not need to be a certified technician	Prior to such charging or recharging, the refrigerant must be recovered either by a section 609 certified technician, or by an employee, owner, or operator of, or contractor to, the disposal facility (Section 82.34(d))
Who can purchase the recovered refrigerant?	Facilities that meet EPA standards for reclaiming refrigerants or those that buy used refrigerant to resell to the reclaiming operations can purchase the recovered refrigerant (Section 82.154(m))	<i>A Section 609 certified technician, who must recycle the used refrigerant before recharging into an MVAC (Sections 82.34(d) and 82.154(m))</i>

Under what conditions can the refrigerant be re-used?	It can be re-used after reclamation (Sections 82.154(g) and (h))	Prior to such charging or recharging, the refrigerant must be recycled, using approved refrigerant recycling equipment. In addition, section 609 technicians who obtain refrigerant recovered from an MVAC or MVAC-like appliance at motor vehicle disposal facilities must subsequently re-use the refrigerant in an MVAC or MVAC-like appliance (Section 82.34(d))
What recordkeeping and reporting requirements apply?	Anyone who recovers refrigerant from MVACs or MVAC-like appliances for purposes of disposal must certify to EPA that they have acquired equipment that meets section 608 requirements (in other words, they must fill out the section 608 certification form) (Section 82.154(f))	Anyone who recovers refrigerant from MVACs or MVAC-like appliances for purposes of disposal must certify to EPA that they have acquired equipment that meets section 608 requirements (in other words, they must fill out the section 608 certification form) (Section 82.154(f))
	Anyone who sells or distributes any ozone-depleting refrigerant must retain invoices that indicate the name of the purchaser, the date of sale, and the quantity of refrigerant purchased (Section 82.166(a))	Anyone who sells or distributes any ozone-depleting refrigerant must retain invoices that indicate the name of the purchaser, the date of sale, and the quantity of refrigerant purchased (Section 82.166(a))
	Anyone who takes the final step in disposing of MVACs or MVAC-like appliances, but who does not recover the remaining refrigerant themselves, must maintain copies of signed statements verifying that the refrigerant has been evacuated previously (Sections 82.156(f)(2) and 82.166(i))	Anyone who takes the final step in disposing of MVACs or MVAC-like appliances, but who does not recover the remaining refrigerant themselves, must maintain copies of signed statements verifying that the refrigerant has been evacuated previously (Sections 82.156(f)(2) and 82.166(i))

Other Fact Sheets Related to Motor Vehicle Air Conditioning



Written by EPA's [Stratospheric Protection Division](#)

Last updated on January 23, 1998.
<http://www.epa.gov/ozone/title6/609/salvage.html>