

**U.S. Department of Energy
Scrap Metal Management**

U.S. Environmental Protection Agency - Comprehensive Environmental Response, Compensation, and Liability Act

Line of Inquiry and Source		Compliance			Findings/observation	Comments
		No	Yes	N/A		
1.0	General					
1.1	List the length of time that the facility has been engaged in the business of recycling scrap metal.					
2.0	Exercise Reasonable Care When Selecting A Recycling Facility.					
2.1	Learn the compliance history: Inquire with the U.S. Environmental Protection Agency, state environmental, and local agencies to learn which permits, compliance orders, or consent decrees cover the facility, and whether the facility has a history of non-compliance. S. 1948, 106 th Cong., 1 st Sess. § 127(C)(6)(c) (1999).					
2.2	Investigate current compliance: Perform a RCRA audit, a CWA audit, a CAA audit, a TSCA audit, and an NRC audit as applicable.					
2.3.	Compare current compliance with compliance history.					
2.4	When performing audits or collecting compliance history data, focus on material handling, processing, reclamation, and storage of the recyclable material, rather than the eventual production of the product.					
2.5.	Verify that the consuming facility will pay a reasonable price for DOE recyclables. S. 1948, 106 th Cong., 1 st Sess. § 127(C)(6)(a).					

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3.0	Verify That The Sale Of Material To The Recycling Facility Qualifies As "Arranging For Recycling."					
3.1	Determine whether the recyclable material (e.g. scrap metal) meets a commercial specification grade. S. 1948, 106 th Cong., 1 st Sess. § 127(C)(1) (1999).					
3.2	Determine whether a market exists for the recyclable material. S. 1948, 106 th Cong., 1 st Sess. § 127(C)(2)(1999).					
3.3	<p>Determine whether recyclable material will be used as a feedstock for the manufacture of a new saleable product. S. 1948, 106th Cong., 1st Sess. § 127(C)(3)(1999).</p> <p>3.3.1 Make sure the facility can accept and process the recyclable materials that you intend to send, and that those materials will contribute to the manufacture of a new saleable product.</p> <p>3.3.2 Evaluate the percent of the recyclable material that will be recovered and processed to make a new product, i.e. the percent recovery.</p>					

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3.4	Determine whether the recyclable material will replace a virgin raw material, or whether the product to be made from the recyclable material replaces a product made, in whole or in part, from a virgin raw material. S. 1948, 106 th Cong., 1 st Sess. §127(C)(4)(1999).					
4.0	Make Sure That The Recycling Transaction Will Not Be Excluded From the Act's Liability Protection.					
4.1	Determine whether the recyclable material will actually be recycled. S. 1948, 106 th Cong., 1 st Sess. § 127(f)(1)(A)(1) (1999).					
4.2	Inspect process to learn if it qualifies as one where material would be burned as fuel, or for energy recovery, or incineration. S. 1948, 106 th Cong., 1 st Sess. § 127(f)(1)(A)(ii) (1999).					
5.0	Management Practices					
5.1	Pre-recycling Storage					
5.2	Prior releases into the environment.					
5.3	Residuals management					