

**§ 82.162**

**40 CFR Ch. I (7-1-03 Edition)**

technicians who successfully completed their voluntary programs of the Administrator's decision within 30 days of that decision.

(iii) Persons who withdraw applications for voluntary program approval submitted pursuant to §82.161(g)(1) must inform technicians who successfully completed their voluntary programs of the withdrawal by the later of 30 days after the withdrawal or December 9, 1994.

(3) Technicians who successfully completed voluntary certification programs may receive certification in a given Type through that program only if:

(i) The voluntary certification program successfully completed by the technician is approved for that Type pursuant to §82.161(g)(1);

(ii) The technician successfully completed the portions of the voluntary certification program that correspond to that Type; and

(iii) The technician reads any supplementary materials required by the Administrator pursuant to §82.161(g)(1) and section j of appendix D of subpart F of this part, and returns the signed statement required by §82.161(g)(1).

[58 FR 28712, May 14, 1993, as amended at 59 FR 42957, 42962, Aug. 19, 1994]

**§ 82.162 Certification by owners of recovery and recycling equipment.**

(a) No later than August 12, 1993, or within 20 days of commencing business for those persons not in business at the time of promulgation, persons maintaining, servicing, or repairing appliances except for MVACs, and persons disposing of appliances except for small appliances and MVACs, must certify to the Administrator that such person has acquired certified recovery or recycling equipment and is complying with the applicable requirements of this subpart. Such equipment may include system-dependent equipment but must include self-contained equipment, if the equipment is to be used in the maintenance, service, or repair of appliances except for small appliances. The owner or lessee of the recovery or recycling equipment may perform this certification for his or her employees. Certification shall take the form of a statement signed by the owner of the equip-

ment or another responsible officer and setting forth:

(1) The name and address of the purchaser of the equipment, including the county name;

(2) The name and address of the establishment where each piece of equipment is or will be located;

(3) The number of service trucks (or other vehicles) used to transport technicians and equipment between the establishment and job sites and the field;

(4) The manufacturer name, the date of manufacture, and if applicable, the model and serial number of the equipment; and

(5) The certification must also include a statement that the equipment will be properly used in servicing or disposing of appliances and that the information given is true and correct. Owners or lessees of recycling or recovery equipment having their places of business in:

- Connecticut
- Maine
- Massachusetts
- New Hampshire
- Rhode Island
- Vermont

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region I, Mail Code APC, JFK Federal Building, One Congress Street, Boston, MA 02203.

Owners or lessees of recycling or recovery equipment having their places of business in:

- New York
- New Jersey
- Puerto Rico
- Virgin Islands

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region II, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 5000, New York, NY 10278.

Owners or lessees of recycling or recovery equipment having their places of business in:

- Delaware
- District of Columbia
- Maryland
- Pennsylvania
- Virginia
- West Virginia

must send their certifications to:

**Environmental Protection Agency**

**§ 82.162**

CAA §608 Enforcement Contact, EPA Region III, Mail Code 3AT21, 841 Chestnut Building, Philadelphia, PA 19107.

Owners or lessees of recycling or recovery equipment having their places of business in:

- Alabama
- Florida
- Georgia
- Kentucky
- Mississippi
- North Carolina
- South Carolina
- Tennessee

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region IV, 345 Courtland Street, NE., Mail Code APT-AE, Atlanta, GA 30365.

Owners or lessees of recycling or recovery equipment having their places of business in:

- Illinois
- Indiana
- Michigan
- Minnesota
- Ohio
- Wisconsin

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region V, Mail Code AT18J, 77 W. Jackson Blvd., Chicago, IL 60604-3507.

Owners or lessees of recycling or recovery equipment having their places of business in:

- Arkansas
- Louisiana
- New Mexico
- Oklahoma
- Texas

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region VI, Mail Code 6T-EC, First Interstate Tower at Fountain Place, 1445 Ross Ave., Suite 1200, Dallas, TX 75202-2733.

Owners or lessees of recycling or recovery equipment having their places of business in:

- Iowa
- Kansas
- Missouri
- Nebraska

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region VII, Mail Code ARTX/ARBR, 726 Minnesota Ave., Kansas City, KS 66101.

Owners or lessees of recycling or recovery equipment having their places of business in:

- Colorado
- Montana
- North Dakota
- South Dakota
- Utah
- Wyoming

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region VIII, Mail Code 8AT-AP, 999 18th Street, Suite 500, Denver, CO 80202-2405.

Owners or lessees of recycling or recovery equipment having their places of business in:

- American Samoa
- Arizona
- California
- Guam
- Hawaii
- Nevada

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region IX, Mail Code A-3, 75 Hawthorne Street, San Francisco, CA 94105.

Owners or lessees of recycling or recovery equipment having their places of business in:

- Alaska
- Idaho
- Oregon
- Washington

must send their certifications to:

CAA §608 Enforcement Contact, EPA Region X, Mail Code AT-082, 1200 Sixth Ave., Seattle, WA 98101.

(b) Certificates under paragraph (a) of this section are not transferable. In the event of a change of ownership of an entity that maintains, services, or repairs appliances except MVACs, or that disposes of appliances except small appliances, MVACs, and MVAC-like appliances, the new owner of the entity shall certify within 30 days of the change of ownership pursuant to paragraph (a) of this section.

(c) No later than August 12, 1993, persons recovering refrigerant from small appliances, MVACs, and MVAC-like appliances for purposes of disposal of these appliances must certify to the Administrator that such person has acquired recovery equipment that meets the standards set forth in §82.158 (l)

and/or (m), as applicable, and that such person is complying with the applicable requirements of this subpart. Such equipment may include system-dependent equipment but must include self-contained equipment, if the equipment is to be used in the disposal of appliances except for small appliances. The owner or lessee of the recovery or recycling equipment may perform this certification for his or her employees. Certification shall take the form of a statement signed by the owner of the equipment or another responsible officer and setting forth:

(1) The name and address of the purchaser of the equipment, including the county name;

(2) The name and address of the establishment where each piece of equipment is or will be located;

(3) The number of service trucks (or other vehicles) used to transport technicians and equipment between the establishment and job sites and the field;

(4) The manufacturer's name, the date of manufacture, and if applicable, the model and serial number of the equipment; and

(5) The certification must also include a statement that the equipment will be properly used in recovering refrigerant from appliances and that the information given is true and correct. The certification shall be sent to the appropriate address in paragraph (a).

(d) Failure to abide by any of the provisions of this subpart may result in revocation or suspension of certification under paragraph (a) or (c) of this section. In such cases, the Administrator or her or his designated representative shall give notice to the organization setting forth the basis for her or his determination.

[58 FR 28712, May 14, 1993, as amended at 59 FR 42962, Aug. 19, 1994]

**§ 82.164 Reclaimer certification.**

Effective October 18, 1994, all persons reclaiming used refrigerant for sale to a new owner, except for persons who properly certified under this section prior to October 18, 1994, must certify to the Administrator that such person will:

(a) Return refrigerant to at least the standard of purity set forth in appendix A (based on ARI Standard 700-1993,

Specifications for Fluorocarbon and Other Refrigerants);

(b) Verify this purity using the methods set forth in appendix A;

(c) Release no more than 1.5 percent of the refrigerant during the reclamation process; and

(d) Dispose of wastes from the reclamation process in accordance with all applicable laws and regulations.

(e) The data elements for certification are as follows:

(1) The name and address of the reclaimer;

(2) A list of equipment used to reprocess and analyze the refrigerant; and

(3) The owner or a responsible officer of the reclaimer must sign the certification stating that the refrigerant will be returned to at least the standard of purity set forth in appendix A, that the purity of the refrigerant will be verified using the methods set forth in appendix A, that no more than 1.5 percent of the refrigerant will be released during the reclamation process, that wastes from the reclamation process will be properly disposed of, and that the information given is true and correct. The certification should be sent to the following address: Section 608 Recycling Program Manager, Reclaimer Certification, Stratospheric Protection Division (6205J), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

(f) Certificates are not transferable. In the event of a change in ownership of an entity which reclaims refrigerant, the new owner of the entity shall certify within 30 days of the change of ownership pursuant to this section.

(g) Failure to abide by any of the provisions of this subpart may result in revocation or suspension of the certification of the reclaimer. In such cases, the Administrator or her or his designated representative shall give notice to the organization setting forth the basis for her or his determination.

[58 FR 28712, May 14, 1993, as amended at 59 FR 42957, 42962, Aug. 19, 1994; 59 FR 55927, Nov. 9, 1994]