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# Criteria and Process for Objecting to Requests to Import Hazardous Waste to a U.S. Facility: January 8th Resource Conservation and Recovery Act Guidance Document

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The United States Environmental Protection Agency (“EPA”) issued a January 8th Resource Conservation and Recovery Act (“RCRA”) guidance document (“Guidance”) titled:

*Criteria and Process for Objecting to Requests to Import Hazardous Waste to a U.S. Facility*

The Guidance was authored by Kathleen Salyer, Deputy Director, Office of Resource Conservation and Recovery and transmitted to Land, Chemicals and Redevelopment Division Directors and Enforcement and Compliance Assurance Division Directors.

The Guidance is stated to supersede a prior memorandum on the subject which was issued on October 6, 2010 by Susan G. Bromm. This memorandum had previously revised a document dated December 19, 1994 issued by Elaine G. Stanley.

The Guidance identifies the criteria EPA will generally consider in deciding whether to object to a Notification of Intent to import foreign hazardous waste to a United States facility. The agency states that it was determined necessary to issue updated guidance on import notice and consent process to help ensure smooth and efficient equitable treatment of all United States facilities contracting to receive hazardous waste from foreign sources.

The relevant program is denominated the RCRA Hazardous Waste Import/Export Notice and Consent Program. It is located in EPA’s Materials Recovery and Waste Management Division, International Branch. The program is responsible for processing Notices of Intent to import hazardous waste from foreign countries into the United States. The process applies to all regulated hazardous waste imported into the United States that are covered by bilateral agreements with:

- Canada
- Mexico
- Organization for Economic Cooperation and Development
- Any other relevant international agreement, bilateral agreement, or treaty to which the United States is a party

The Guidance addresses:

- RCRA Import Notice and Consent Process and Expected Timelines
- Notice of Intent to Import
- Procedures for Responding to a Notice of Intent and Expected Timeframes
- Criteria and Basis for Objection

A copy of the Guidance can be downloaded [here](#).