



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 16 2000

OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

Susan L. Prior  
Director of Environmental Compliance  
Safety-Kleen  
8B Industrial Way, Unit #1  
Salem, NH 03079


Dear Ms Prior:

Thank you for your letter of January 14, 2000 regarding clarification on the use of a broker who would act as an "intermediary arranging for export".

You ask whether it is acceptable for the persons who "hold" the Acknowledgment of Consent to be different from the generator identified on the manifest. The answer is that indeed this is perfectly acceptable. The manifest and the Acknowledgment of Consent serve different purposes. In the case of the manifest, the purpose is to track the hazardous waste from "cradle to grave." As such, it is important to identify the generator of the hazardous waste. On the other hand, the intent of the Acknowledgment of Consent is to ensure that the importing country is aware of a proposed transboundary movement, and has indeed consented to such movement. Under EPA's export regulations, EPA forwards the Acknowledgment of Consent to the "primary exporter" which is defined in 40 CFR § 262.51 to include "any intermediary arranging for the export."

I hope that I have answered all of your questions. If you have any further questions on this matter, please feel free to contact Anna Tschursin of my staff at (703) 308-8805.

Sincerely,



Elizabeth Cotsworth  
Director, Office of Solid Waste

Faxback 14421