



# ISRI

## New England

### Analyzer Gun Inspections Come to CT

One of the more important items of equipment in a materials recycling yard is the analyzer gun, the device that identifies the elements and specific composition of recyclable materials coming into a facility. Since these devices are essentially x-ray machines that emit some level of radiation, these devices are regulated by a host of state and federal regulations concerning registration, training, record-keeping, and storage.

Recently, the Connecticut Department of Energy and Environment conducted an inspection of a Connecticut ISRI's member facility focusing on their analyzer devices compliance. Fortunately, the ISRI member was prepared and passed the inspection. The inspector indicated that the DEEP hadn't conducted an inspection of analyzer devices in many years due to short-staffing and COVID, but now the Department was embarking on a new initiative to inspect facilities (not limited to metals recyclers) that use these devices.

We are not aware of any other New England states that are conducting analyzer device inspections on a targeted basis like Connecticut. Generally speaking though, state environmental authorities are in hiring mode as they re-assert themselves within regulated industries and beef up their many regulatory programs.

In Massachusetts, for example, the Department of Environmental Protection is looking to fill dozens of new positions this year fueled by a host of new state and federal programs and funding sources. With larger staffs and increased funding, we can expect more facility inspections at ISRI recycling facilities. Of course, once a regulator is on site virtually any regulated activity (such as analyzer devices) becomes fair game for inspection.

Whether you are operating in Connecticut or in any other New England state, now is a good time to brush up on the regulations and procedures for the use of analyzer devices. Let's stay a step ahead of the regulators.

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### Open Season for SREA Reports

One of the most beneficial services that ISRI offers is its SREA program. SREA is the acronym for the Superfund Recycling Equity Act, passed in 1999. This law, passed following a major lobbying effort by ISRI, creates an exemption from cleanup liability for metals recycling transactions. In order to use the exemption, however, the metals recycler must demonstrate that it used reasonable care in its selection of its downstream processors.

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ISRI's Reasonable Care Compliance Program includes detailed reports on facilities including compliance status and past violations. The reports are culled from a wide range of federal, state and local databases and questionnaires and are updated regularly. We encourage all ISRI members to make use of this valuable service. Using this program for due diligence in selecting and doing business with downstream processors and handlers will put a metals recycler in the best possible light to avoid federal Superfund cleanup responsibility at an off-site facility. The SREA reports are modestly priced and available through the ISRI- National website.

While the Network calls focus on legislative and regulatory developments, the calls are open to all ISRI members, as well as Chapter officers and Board members.

If you are interested in attending any monthly call, contact Justin Short at [jshort@isri.org](mailto:jshort@isri.org) and he will add you to the distribution list.

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## Updates from the ISRI Lobbyist Network

As we have previously reported, the ISRI Lobbyist Network continues to meet on monthly zoom calls (generally the second Monday afternoon of the month). Since the initiation of the Network, our calls have averaged about 100 participants per session from around the country. The calls feature a state-by-state review of important pending legislation and related issues.

At our most recent call, the top items of regulatory concern identified include: environmental justice, catalytic converter theft, PFAS legislation, lithium-ion battery use and recycling and extended producer responsibility. These topics are all of serious concern throughout the New England states as well.



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