

GENERAL INFORMATION ON THE UNIVERSAL WASTE RULE

What is the Universal Waste Rule?

A rule created by the EPA in 1995 (40 CFR 273). The EPA developed it to streamline environmental regulations for wastes that a large number of businesses generate, but in relatively small quantities. The rule is designed to reduce the amount of hazardous waste items in the municipal solid waste stream, encourage the recycling and proper disposal of some common hazardous wastes, and reduce the regulatory burden on businesses that generate these wastes.

What are Universal Wastes (UWs)?

UWs are usually items commonly thrown into the trash by households and small businesses. Currently, batteries, thermostats, obsolete agricultural pesticides and lamps may be managed under the universal waste rule. Although UW handlers now have less stringent standards to meet when they store, transport and collect wastes, the waste itself must still comply with full hazardous waste requirements for final recycling, treatment or disposal. The rule makes sure wastes are kept out of municipal landfills and incinerators, strongly guards public health and the environment and relieves UW handlers of some of the paperwork involved in traditional hazardous waste handling.

What is prohibited under the universal waste rule?

Unless you are responding to an accidental release, you may not dispose, dilute or treat universal waste.

Who is considered a universal waste handler?

UW handlers include generators of universal waste and owners or operators of facilities that receive UW from other UW handlers. Anyone who accumulates UW, sends it to another UW handler, a destination facility or a foreign destination is also considered a UW handler. There are two categories of universal waste handlers based on the amount of universal waste managed.

- ◆ A **large quantity handler** of universal waste is defined as a universal waste handler who accumulates 5,000 kg or more of total universal waste at any time but does not treat, recycle, or dispose of them (40 CFR 273, subpart C).
- ◆ A **small quantity handler** of universal waste is defined as a universal waste handler who accumulates 5,000 kg or less of universal waste at any time but does not treat, recycle or dispose of them (40 CFR 273, subpart B).

What are the requirements for universal waste transporters?

UW transporters are subject to the requirements of subpart D of part 273. Transporters must also comply with all applicable DOT regulations and ensure that any UW transported goes to a UW handler or destination facility. Because DOT regulations do not require a manifest to accompany the shipment, DOT does not consider UW to be a “hazardous waste”. However, transporters must decide if the waste falls under any other

DOT hazard classes. If so, transporters are required to comply with the DOT requirements for “hazardous material” under 49 CFR parts 171 through 180. Transporters may store UW at a transfer facility for 10 days or less. They must also contain any accidental UW releases.

What are the requirements for universal waste destination facilities?

Destination facilities treat, dispose or recycle universal wastes. They are subject to all the hazardous waste management requirements that apply to permitted or interim status hazardous waste treatment, storage and disposal facilities. The specifics are found under parts 264 and 265, as well as applicable standards in parts 268 and 270. UW destination facilities are still subject to all the hazardous waste regulations that apply to treatment, storage and disposal facilities. These facilities must also receive a RCRA permit to conduct these activities.

SUMMARY TABLE

UW RULE REQUIREMENT	LQHUW > 5,000 kg	SQHUW ≤ 5,000 kg
Treatment (including crushing), recycling, disposing or diluting of UW prohibited	Yes	Yes
Provide notification of UW management to EPA (or authorized state) and obtain an EPA identification number	Yes	No
Manage UW to prevent releases of hazardous constituents to environment and immediately contain any releases and handle residues according to all applicable regulatory requirements	Yes	Yes
Package UW to prevent breakage during accumulation, storage and transport	Yes	Yes
Label/mark UW (e.g., “Universal Waste-Lamp(s)”, “Waste Lamp(s)”, or “Used Lamp(s)”)	Yes	Yes
Accumulation time from date UW generated/received	1 year	1 year
Employee Training	Yes	Yes
Track UW shipments/maintain records	Yes	No