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## Universal Waste Rule

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40 CFR 273

### Do these regulations apply to my operation?

If your facility generates spent **Universal Waste - Batteries** (excluding lead-acid batteries), **Universal Waste - Mercury Containing Equipment**, **Universal Waste - Lamps** (e.g.: fluorescent tubes), non-empty **Universal Waste - Aerosol Cans** or excess **Universal Waste - Pesticides**, it is subject to the Universal Waste (UW) requirements outlined below.

### General Requirements

- Generators of UW cannot dispose of or treat the waste on site.
- UW Generators must train employees in the proper handling and storage of UW and be able to document the training.
- All releases/spills of UW must immediately be contained and clean up materials properly disposed of.

### What are the benefits of using the Universal Waste Rule?

The UW Rule was put into place to ease the regulatory burden for businesses dealing with common hazardous wastes. It allows a longer collection time (one year) making recycling these wastes more feasible. The UW Rule also has fewer record keeping, training, and reporting requirements compared to those for other hazardous wastes.

### Requirements

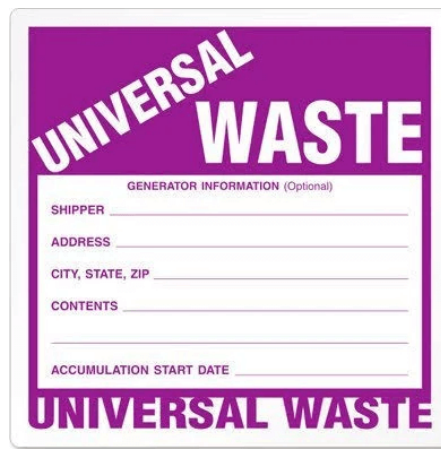
#### WHAT ARE THE SPECIAL HANDLING REQUIREMENTS FOR UW?

- All UW must be handled in a way that prevents release during accumulation, storage, and disposal.
- All spills and residues of UW must be immediately contained.
- All materials (including clean-up materials) resulting from spills of a UW must be handled in compliance with applicable federal, state, and local regulations\*.
- If a release of one pound or more of a UW occurs please contact the IWRC.

\* Toxicity Characteristic Leaching Procedure (TCLP) testing may be required to determine if clean-up materials are considered hazardous wastes.

## WHAT ARE THE LABELING AND STORAGE REQUIREMENTS?

- **Universal Waste Handlers** cannot accumulate UW for more than one year unless it is done for the sole purpose of feasible recycling.
- *Store UW in a container that remains closed*, is structurally sound, compatible with the waste, prevents breakage, and lacks evidence of leakage or damage.
- Clearly label storage containers with the accumulation start date to document the length of time the UW has been stored on-site.
- Clearly label storage containers “**Universal Waste - Batteries,**” “**Universal Waste - Mercury-Containing Equipment,**” “**Universal Waste - Lamps,**” “**Universal Waste - Aerosol Cans**”, or “**Universal Waste - Pesticides**” as applicable.



## WHAT PERMITS OR REGISTRATIONS ARE REQUIRED?

- **Small Quantity Handler of UW (SQHUW)** are not required to obtain a hazardous waste identification number from the EPA if only universal hazardous wastes are generated.
- **Large Quantity Handler of UW (LQHUW)** must obtain an EPA ID number prior to accumulating more than 11,000 pounds of UW.

## WHAT TRAINING REQUIREMENTS APPLY?

- **Small Quantity Handler of UW (SQHUW)** must train all employees that handle UW in proper handling and emergency procedures. Documentation of training should be maintained.
- **Large Quantity Handler of UW (LQHUW)** must formally train (including documentation) all employees in proper handling and emergency procedure(s) for UW related to their responsibilities during normal facility operations and emergencies.

## HOW DO I SHIP/TRANSPORT UNIVERSAL WASTE(S)?

### *Shipping*

- UW must be sent to a **Universal Waste Handler, Destination Facility**, or foreign market.
- Shipments must be packaged, labeled, marked, and placarded in a manner that prevents releases and follows all DOT requirements.
- The receiving party must agree to accept the waste.
- **Universal Waste Handlers** may self-transport universal waste, however, the handler must also comply with **Universal Waste Transporter** regulations (summarized below).
- Exporting UW to a foreign market requires compliance with export regulations including notification of EPA and consent of the receiving country.
- **Universal Waste Handlers** that also receive quantities of UW from other facilities should contact the IWRC.

### *Transport*

- **Universal Waste Transporters** cannot dispose of, dilute, or treat UW (except when responding to a release).
- **Universal Waste Transporters** must comply with all DOT regulations.
- UW can only be stored at a transfer site for 10 days without further regulation.
- **Universal Waste Transporters** must immediately contain and clean up all releases/spills of UW and properly dispose of clean-up materials.
- **Universal Waste Transporters** must take UW to a **Destination Facility** or foreign market agreed upon by the generator.

## WHAT RECORDS DO I NEED TO KEEP AND FOR HOW LONG?

- **Small Quantity Handler of UW (SQHUW)** are not required to keep records of shipments, however, as with all hazardous wastes, tracking quantities, dates of disposal, and destination facilities is advisable.
- **Large Quantity Handler of UW (LQHUW)** must maintain a log, manifest, bill-of-lading, or other shipping documents that include at least the quantity of each type of UW, date of shipment of UW, and the name and address of **Destination Facility** for at least three years.

## Definitions

**Universal Waste - Battery:** Devices that receive, store, and deliver energy including the consumer products which contain them (if battery cannot be removed). (Note: Lead-Acid batteries are not included in the definition of Universal Waste and are subject to their own specific set of management regulations – See 40 CFR 266).

**Universal Waste - Mercury Containing Equipment:** Consists of devices, items or articles that contain varying amounts of elemental mercury integral to its function. Some devices include: thermostats, barometers, manometers, mercury switches.

**Universal Waste - Lamp:** The bulb or tube portion of an electric lighting device. Examples of common UW lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high-pressure sodium, and metal halide lamps.

**Universal Waste - Aerosol Can;** A non-empty, non-refillable receptacle containing a product and compressed gas for the purpose of dispensing the product in an aerosol form. Aerosol cans meeting EPA's definition of empty\*\* are exempt from UW regulations.

*\*\* 40 CFR 261.7(b)(2) - A container that has held a hazardous waste that is a compressed gas is empty when the pressure in the container approaches atmospheric.*

**Universal Waste - Pesticide:** Any hazardous substance or mixture intended for preventing, destroying, repelling, or mitigating any pest, or intended for use as a plant regulator, defoliant, or desiccant, except those disposed of by a farmer (on-site) in a manner consistent with the label instructions.

**Universal Waste Handler:** Generator (person that produces the waste) and/or the owner or operator of a facility that receives/accumulates/sends UW.

**Small Quantity Handler of UW (SQHUW):** Never accumulates more than 11,000 pounds of UW (total of all types of UW) at any one time.

**Large Quantity Handler of UW (LQHUW):** Accumulates more than 11,000 pounds of UW (total of all types of UW) at any one time.

**Universal Waste Transporter:** A person engaged in off-site transportation of universal waste by air, rail, highway, or water.

**Destination Facility:** A facility that treats, disposes of, or recycles a UW. Destination facilities are required to comply with regulations beyond the scope of this summary.

*The Iowa Waste Reduction Center can assist your small business in complying with the Universal Waste Rule. Please contact the IWRC at 319-273-8905 for free, confidential and non-regulatory environmental assistance.*