

Universal Waste Handlers

Background

The Universal Waste Rule permits certain hazardous wastes known as "universal wastes" to be managed under streamlined requirements that encourage the collection, recycling or disposal of these wastes. Before the universal waste management standards were in place, all hazardous waste had to be managed under the full range of hazardous waste management standards. Persons who generate or accumulate universal waste are called universal waste handlers and are subject to specific management standards depending on the type and amount of universal waste accumulated. Universal waste management requirements are less stringent than those for hazardous wastes. This fact sheet provides guidance to those who create and manage universal wastes. For the complete universal waste rules, see the Code of Federal Regulations (CFR), Title 40, Part 273 and Oregon Administrative Rule (OAR) Chapter 340, Division 113.

What is universal waste?

A universal waste is a hazardous waste that is produced by a variety of businesses and institutions, not just in traditional industrial settings. Many of these wastes were improperly managed in the past by being sent to solid waste landfills. In Oregon there are currently four types of waste considered to be universal wastes:

- Batteries
- Pesticides
- Mercury-containing equipment
- Mercury-containing lamps (fluorescent light tubes and high intensity discharge (HID) lamps)

What is the goal of these regulations?

The goal of the universal waste regulations is to improve management of hazardous wastes that are often mismanaged by disposal in non-hazardous waste management systems (solid waste landfills). To achieve this goal, management requirements are streamlined to encourage the collection, consolidation and proper management of the wastes.

What is a universal waste handler?

- A generator of universal waste
- An owner or operator of a facility that receives universal waste from other universal waste handlers and accumulates the universal waste for more than 10 days prior to shipment off-site. This type of handler is called a universal waste "off-site collection site."

Who is not a universal waste handler?

- Someone who treats (except as allowed in the regulation), recycles or disposes of universal waste, or
- Someone who transports universal waste.

Who else is affected by these regulations?

In addition to universal waste handlers, the following persons or activities are regulated by the universal waste regulations:

- Off-site universal waste collection sites
- Universal waste transporters
- Universal waste destination facilities
- Pesticide collection programs

Who is not affected?

Management of household and conditionally exempt hazardous waste under the universal waste rule is optional and is at the discretion of the generator of the waste.

Small and large quantity universal waste handlers

- A "small quantity universal waste handler" is one who accumulates less than 11,000 pounds (5,000 kilograms) of universal waste at any time.
- A "large quantity universal waste handler" is one who accumulates 11,000 pounds or more of universal waste at any time

Summary of universal waste handler requirements

Use the following table to identify the universal waste handler requirements that apply to you:



State of Oregon
Department of
Environmental
Quality

Land Quality Division Hazardous Waste Program

811 SW 6th Avenue
Portland, OR 97204
Phone: (503) 229-5913
(800) 452-4011
Fax: (503) 229-6977
www.oregon.gov/DEQ/

Universal Waste Handler Requirements	If you are a small quantity universal waste handler (less than 11,000 lbs)	If you are a large quantity universal waste handler (11,000 lbs or more)	Refer to section of the factsheet
Notify DEQ	No	Yes	1
Manage waste to prevent releases	Yes	Yes	2
Label and mark container	Yes	Yes	3
Observe waste accumulation time limit	Yes, 1 year	Yes, 1 year	4
Conduct employee training	Yes, inform employees who manage universal waste of proper handling and emergency procedures	Yes, ensure employees are familiar with universal waste management and emergency procedures	5
Respond to release of universal wastes	Yes	Yes	6
Ship only to an off-site UW collection site or UW destination facility	Yes	Yes	7
Track Waste shipments	No, but encouraged	Yes	8

Description of universal waste handler requirements

Section 1: Notifying DEQ

Small quantity handlers of universal waste are not required to notify DEQ of their universal waste activity.

Large quantity handlers of universal waste *are* required to notify DEQ, on forms provided by DEQ, prior to accumulating 11,000 pounds of universal waste.

Section 2: Managing universal waste

Universal waste handlers must manage universal waste in a way that prevents releases to the environment. Each type of universal waste has specific management requirements designed to prevent releases to the environment. Waste-specific management requirements are found in the universal waste management rules or in individual universal waste management fact sheets available from DEQ.

Section 3: Labeling and marking

Universal waste handlers must label or mark their waste to identify the type of universal waste they are managing.

Universal waste batteries

Universal waste batteries or the container in which the batteries are accumulated must be labeled or marked clearly with any one of the following phrases:

- Universal Waste – Batteries
- Waste Batteries
- Used Batteries

Mercury-containing equipment

Universal waste mercury-containing equipment containers must be labeled or clearly marked with any one of the following phrases:

- Universal waste – mercury-containing equipment
- Waste mercury-containing equipment
- Used mercury-containing equipment

Mercury-containing lamps

Universal waste mercury-containing lamps or containers that contain waste lamps must be labeled or clearly marked with one of the following phrases:

- Universal waste – mercury-containing lamps
- Waste mercury-containing lamps
- Used mercury-containing lamps

Universal waste pesticides

A container or tank containing universal waste pesticides must be labeled or clearly marked with the label that was on or accompanied the product when sold or distributed, and with the words:

- Universal waste – pesticides
- Waste pesticides

If product labels are not legible or available, label as appropriate under rules listed by the U.S. Department of Transportation 49 CFR, Part 172. Universal waste pesticides do not require a hazardous waste code on the shipping bill of lading.

Section 4: Accumulation time limits

Universal waste handlers may accumulate universal waste on-site for up to one year from the date it is generated. A universal waste handler may accumulate universal waste longer if the handler is able to demonstrate that additional time is needed to complete proper recovery, treatment or disposal. The burden of proof lies with the handler once the waste is accumulated for more than one year.

A handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste. The handler may make this demonstration by:

- Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste
- Marking or labeling the individual item of universal waste (e.g., each battery or mercury-containing device) with the date it became a waste or was received
- Maintaining an inventory system on-site that identifies the date each item (e.g., battery, lamp) became a waste or was received
- Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received
- Placing the universal waste in a specific accumulation area and identifying the earliest date that any of the waste in area became a waste or
- Using any other method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.

Section 5: Training employees

Universal waste handler training requirements are necessary to ensure that employees are familiar with the specific waste handling procedures. Any training provided under other programs (e.g., OSHA, worker right to know, pesticide licensing, etc.) that would meet any or all of the Part 273 training requirements may be used to fulfill this requirement.

- Small quantity universal waste handlers must inform all employees who handle or have responsibility for managing universal waste (40 CFR 273.16). The information must describe proper handling and emergency procedures appropriate to the types of universal waste managed at the facility. Providing this information through oral communication, brochures or other documents meets the small quantity handler training requirements.
- Large quantity universal waste handlers must “ensure” that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations (40 CFR 273.36). Records for training provided to the employees are not required to be kept..

Section 6: Responding to releases

Universal waste handlers must immediately contain all releases of universal waste and must determine whether any material released is a hazardous waste. If the material is determined to be a hazardous waste, it must be managed according to all applicable hazardous waste regulations.

Section 7: Shipping waste off-site

Universal waste handlers must ship their universal waste to another universal waste off-site collection site or to a universal waste destination facility. An off-site collection site is not the site where the waste was generated but is a location where the waste may be shipped for consolidation prior to shipment to a universal waste destination facility.

A universal waste destination facility is a facility that may treat, recycle or dispose of universal waste and is subject to hazardous waste facility management regulations. Universal waste shipped off-site must meet applicable state and federal transportation requirements for packaging, labeling, placarding and shipping papers.

Section 8: Tracking waste shipments

- Small quantity universal waste handlers are not required to keep records of shipments of universal waste (40 CFR 23.19). They are, however, encouraged to be able to provide documentation that their universal waste was properly managed if requested by DEQ.
- Large quantity universal waste handlers are required to maintain records of each shipment of universal waste shipped off-site (40 CFR 273.39). The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The information must include the name and address of the facility receiving the waste, the quantity and type of each waste shipped, and the date the shipment occurred. The shipping records must be maintained for at least three years from the date a shipment left the handler facility.

What is required of universal waste handlers who accept more than 2,200 pounds from off-site?

In addition to the requirements outline above, a universal waste handler who accumulates more than 2,200 pounds or 1,000 kilograms from off-site has additional requirements to meet, including:

- Notification
- Reduced accumulation times
- Shipment only to a destination facility
- Reporting universal waste activities annually
- Tracking universal waste shipments

To better understand these requirements refer to OAR 340 Division 113 Sections 040 (off-site collection sites) and 070 (pesticide collection programs).

How can I receive more information?

For specific regulatory guidance, you may refer to the actual rule (OAR Chapter 340, Division 113), which is available from DEQ.

The following universal waste materials are also available:

- Universal waste battery fact sheet
- Universal waste mercury-containing equipment fact sheet.
- Universal waste mercury-containing lamp fact sheet
- Universal waste activity form

Fact sheets and other information can be obtained from DEQ by contacting the nearest DEQ office listed below, or on the DEQ

Hazardous Waste Program web site:

www.deq.state.or.us/lq/hw/

Bend: (541) 388-6146

Eugene: (541) 686-7838

Gresham: (503) 667-8414

Pendleton: (541) 276-4063

Portland: (503) 229-5263

Salem: (503) 378-8240

Alternative formats

Alternative formats (Braille, large type) of this document can be made available. Contact the DEQ Office of Communications and Outreach, Portland, for more information at (503) 229-5696, or call toll-free in Oregon at 1-800-452-4011, ext. 5696.