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## *Just the Facts ...*

## Universal Waste Rule October 2003

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### 1. Background

On 11 May 1995, the EPA finalized its Universal Waste Rule<sup>1</sup>. The new streamlined hazardous waste regulations govern the collection and management of certain widely generated wastes identified as universal wastes. The goal of the final rule is to separate universal waste from the municipal waste stream. Under RCRA C regulations, the management of waste differs based on the waste's generating source. Waste generated by consumers in their homes or by Conditionally Exempt Small Quantity Generators is not regulated under RCRA when discarded. Conversely, the same waste would be subject to regulation if generated by commercial establishments, industries and other non-exempt generators. Universal wastes are wastes generated by both groups. Consequently, universal wastes that should go in a hazardous waste system may be entering municipal solid waste landfills from exempt generators. The EPA believes that the new universal waste rules will encourage exempt generators to handle their universal waste under these rules. Additionally, non-exempt HW generators no longer have to handle these wastes under full RCRA Subpart C regulations but rather the new streamlined rules. The universal rule covers wastes that go to either recycling or treatment facilities. The specifics of universal waste regulations can be found in 40 CFR Part 273. **In states authorized by the EPA to operate their own hazardous waste programs (RCRA authorized States), the rule will not take effect until the particular state adopts the program.**

### 2. Universal Wastes

The following wastes are considered universal wastes and are subject to this rule:

Hazardous Waste Batteries: All batteries that are hazardous waste may be managed as universal waste, including nickel cadmium batteries. This also includes lead-acid batteries that are currently regulated under Subpart G of 40 CFR 266. Handlers will have the option of managing lead acid batteries under either the existing 266 system or the new universal waste rules.

Hazardous Waste Lamps: All used lamps that are hazardous waste may be managed as universal waste. Lamps are specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infra-red regions of the electromagnetic spectrum. Examples of common universal waste electric lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps.

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<sup>1</sup> This information is based on Federal criteria. State regulations may be more stringent.

Hazardous Waste Thermostats: Any temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element. Also included are mercury containing ampules that have been removed from these thermostats. Removal must be done over a containing pan and in a manner that prevents breakage of the ampules.

Hazardous Waste Pesticides: Unused pesticides that have been suspended or canceled under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), recalled, and that are collected for discard.

### **3. Storage Requirements**

a. Each universal waste or container holding the waste must be labeled with the words "Universal Waste Batteries" or "Used Batteries" or "Waste Batteries", "Universal-Waste Mercury Thermostats", "Waste Lamps" etc. Universal waste pesticides must have this marking plus additional labeling requirements.

b. Universal Waste may be accumulated for one year from the date the waste was generated. There must be a mechanism in place to demonstrate how long the waste has been stored. This can be done by dating the container or the individual item, or maintaining an on-site inventory system.

### **4. Training Requirements**

Universal waste handlers must have training on the proper waste handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.

### **5. Record Keeping Requirements**

Large Quantity Handlers of Universal Waste (those who accumulate more than 5000 kg of UW at any time) must keep records of universal waste shipments. The record can take the form of a log, manifest, invoice or other shipping document and should include the following:

1. The name and address of the facility where the universal waste was sent.
2. The quantity of each type of universal waste sent.
3. The date of shipment.
4. Records must be kept for at least 3 years.

### **6. Other Resources**

For more details on specific universal waste issues, use the following links:

[Low Mercury Lamps](#)

[Managing Spent Lamps](#)

[RCRA C Issues with Lamp Crushing](#)

[Universal Waste Lamps](#)

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