

**FISH AND WILDLIFE SERVICE
POLLUTION CONTROL AND ENVIRONMENTAL COMPLIANCE**

Pollution Control and Environmental Compliance

Part 561 Compliance Requirements

Chapter 5 Managing, Recycling, and Disposing of Non-Hazardous Solid Waste

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OVERVIEW

5.1 What is the purpose of this chapter? This chapter establishes policy for managing, recycling, and disposing of non-hazardous solid waste at U.S. Fish and Wildlife Service (Service) facilities.

5.2 What is the Service's policy on managing, recycling, and disposing of non-hazardous solid waste? It is our policy to:

- A. Dispose of non-hazardous solid waste in a manner that protects the chemical, physical, and biological quality of the Nation's land, water, and air resources;
- B. Promote the conservation of fish and wildlife resources;
- C. Protect the public health, welfare, environment, and productive capacity of the country;
- D. Comply with all applicable Federal, State, tribal, and local regulations;
- E. Where practicable, prevent the creation of non-hazardous solid waste by promoting waste reduction (see [section 5.8A](#)); and

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F. Reduce the amount of solid waste we dispose of, increase the reuse of viable material, and divert reusable material to recycling centers instead of disposal.

5.3 What are the authorities for this chapter?

A. Solid Waste Disposal Act (SWDA), as amended ([42 U.S.C. 6901](#) et. seq.). The SWDA was amended in 1976 by the Resource Conservation and Recovery Act (RCRA), including RCRA Subtitle D, which addresses the management of non-hazardous solid waste.

B. Executive Order (E.O.) 13693, Planning for Federal Sustainability in the Next Decade.

C. E.O. 13514, Federal Leadership in Environmental, Energy, and Economic Performance.

D. U.S. Environmental Protection Agency (EPA) Guidelines for the Thermal Processing of Solid Wastes ([40 CFR 240](#)).

E. EPA Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste ([40 CFR 243](#)).

5.4 What is the scope of this chapter? This chapter applies to:

A. All Service-owned or operated facilities, including quarters, vessels, and vehicles; and

B. Any special use permit, contract, lease, or concessionaire agreement that could involve generation, storage, or disposal of non-hazardous solid waste.

5.5 Who is responsible for ensuring Service compliance with Subtitle D of the SWDA? See Table 5-1.

Table 5-1: Responsibilities for administering the SWDA program	
These officials...	Are responsible for...
A. The Director	Approving policy for the SWDA management program.
B. The Assistant Director - Business Management and Operations	(1) Ensuring that the Service appropriately and effectively implements the SWDA, and (2) Developing and overseeing a Servicewide office recycling program and providing guidance to assist in the administration of the program.
C. Regional Directors	(1) Ensuring full implementation of the requirements of the SWDA, including Federal, State, tribal, and local regulations and requirements; (2) Appointing a Regional Recycling Coordinator; and (3) Ensuring that reports are submitted as required.
D. The Chief, Division of Engineering (DEN)	(1) Developing policy for SWDA compliance, (2) Providing guidance and technical assistance to the Regional Engineers and Regional Environmental Compliance Coordinators to facilitate compliance with the requirements of the SWDA regulations, and (3) Anticipating and evaluating the effects of new and proposed

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Table 5-1: Responsibilities for administering the SWDA program	
These officials...	Are responsible for...
	regulations on our facilities and the requirements to keep them in compliance.
E. Chief, Division of Contracting and General Services	<p>(1) Issuing appropriate advisory notices concerning the procurement of products containing recycled materials, and</p> <p>(2) Ensuring contracts contain appropriate green purchasing clauses.</p>
F. Regional Engineers (RENs) and Regional Environmental Compliance Coordinators (RECCs)	<p>(1) Providing technical assistance to Project Leaders and Facility Managers to ensure that SWDA requirements are met;</p> <p>(2) Coordinating and assisting in budgeting, design, and construction contracting for compliance with the SWDA, as required;</p> <p>(3) Assisting Project Leaders and Facility Managers to implement strategies for and properly manage the generation, storage, recycling, and disposal of non-hazardous solid waste for their facilities;</p> <p>(4) Assisting Project Leaders and Facility Managers to return facilities to compliance and to seek funding to keep facilities in compliance; and</p> <p>(5) Notifying the DEN when a facility is in violation or noncompliant with regulations that apply to the generation, storage, recycling, and disposal of non-hazardous solid waste.</p>
G. Regional Recycling Coordinators (see DEN's Sharepoint site for a current list and contact information)	<p>(1) Serving as technical advisors to field offices. In offices where we share space with other Federal agencies, coordinating with those agencies to enlist participation in our recycling program;</p> <p>(2) Publicizing the recycling program, including:</p> <ul style="list-style-type: none"> (a) Scheduling and conducting educational seminars to inform employees about the recycling program and how it functions, (b) Acquiring and distributing appropriate reminder signs to encourage employee participation, and (c) Distributing accomplishment reports to employees to keep them informed about their Region's efforts; <p>(3) Developing and implementing a waste product collection and storage system within Service facilities;</p> <p>(4) Coordinating the pickup of waste materials with the appropriate General Services Administration (GSA) Regional Recycling Coordinators (see DEN's Sharepoint site for a current list and contact information);</p> <p>(5) Preparing and submitting waste generation and recycling data required for the annual Sustainability Practices Report; and</p> <p>(6) Preparing necessary progress reports.</p>

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Table 5-1: Responsibilities for administering the SWDA program	
These officials...	Are responsible for...
H. Project Leaders and Facility Managers	<p>(1) Ensuring that all non-hazardous solid waste is disposed of according to applicable Federal, State, tribal, and local regulations;</p> <p>(2) Maintaining contact and coordinating with appropriate regulatory agencies;</p> <p>(3) For the facilities for which they are responsible, ensuring that they:</p> <ul style="list-style-type: none"> (a) Obtain required permits, conduct operations as required by the permits, and monitor operations as necessary; (b) Develop and implement a plan to reduce the amount of non-hazardous solid waste generated in compliance with Service and U.S. Department of the Interior policies and guidance (see E.O. 13514); (c) Conduct operations in compliance with the Service’s policy of implementing sustainable practices regarding the management of non-hazardous solid waste (see 565 FW 1, <i>Implementing Sustainable Practices</i>, Exhibits 2 and 3); and (d) Retain records of the management of non-hazardous solid waste for at least 3 years; <p>(4) Ensuring that all required reports are submitted on time; and</p> <p>(5) Notifying the regulating agency and the REN or the RECC when permit conditions are not met or the facility is in violation or noncompliant.</p>

5.6 What terms do you need to know to understand this chapter?

A. Antifreeze. A liquid used in the radiator of an internal combustion engine to lower the freezing point of the cooling medium.

B. Bulky Waste. Large items of non-hazardous solid waste, such as household appliances, furniture, large auto parts, trees, branches, stumps, and other oversized waste, that prevent or complicate their handling by normal non-hazardous solid waste collection, processing, or disposal methods.

C. Deconstruction. A “soft” demolition technique, in which workers dismantle a significant portion of a building to recover materials for reuse and recycling.

D. Household Waste. Any non-hazardous solid waste (including garbage, trash, and sanitary waste in septic tanks) that originates from household-type activities at such locations as single and multiple residences, motels, lunchrooms, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas.

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E. Open Burning. Burning non-hazardous solid waste outside, such as in an open dump. An open dump is a facility or site that does not meet the criteria for a sanitary landfill, but where you can dispose of non-hazardous solid waste.

F. Ozone-Depleting Substance (ODS). A compound that contributes to the reduction of stratospheric ozone.

G. Recoverable Resource. Those materials that still have useful physical, chemical, or biological properties after serving their original purpose.

H. Recycling. The collection and reuse of waste materials to conserve energy and slow the depletion of our Nation's natural resources. Recycled materials are those used in place of a primary, raw, or virgin material when manufacturing a product.

I. Sanitary Landfill. A site employing an engineered method of disposing of non-hazardous solid waste on land in a manner that minimizes environmental hazards by spreading the waste in thin layers, compacting the waste to the smallest practical volume, and applying and compacting cover material at the end of each operating day.

J. Separate Collection. The collection of recyclable non-hazardous materials that are separated where they're generated (i.e., source separation), and have been kept separate from other solid waste by using vehicles with separate compartments or by using entirely separate collection vehicles for each type of waste.

K. Solid Waste. The term solid waste, as SWDA defines it, is very broad, including traditional non-hazardous solid waste, such as municipal garbage and industrial waste, and also hazardous waste. Hazardous waste is regulated under RCRA Subtitle C, so we do not address it in this chapter. For more information on hazardous waste management, see [561 FW 6](#), *Hazardous Waste Management*. Non-hazardous solid waste is:

- (1) Garbage (e.g., milk cartons and coffee grounds);
- (2) Refuse (e.g., scrap metal, wall board, and empty containers);
- (3) Sludge from waste treatment plants, water supply treatment plants, or pollution control facilities (e.g., scrubber slags);
- (4) Industrial waste (e.g., manufacturing process wastewaters and non-wastewater sludges and solids);
- (5) Other discarded materials, including solid, semisolid, liquid, or contained gaseous materials resulting from industrial, commercial, mining, agricultural, and community activities (e.g., boiler slag); and
- (6) Not limited to waste that is physically solid. "Solid" is somewhat of a misnomer as RCRA regulations define solid waste as solid, liquid, semi-solid, or containerized gaseous materials.

L. Vector. A carrier, usually an arthropod, that is capable of transmitting a pathogen from one organism to another.

M. Waste Reduction. Using sustainable practices (see [565 FW 1](#), *Implementing Sustainable Practices, Exhibits 2* and [3](#)) to prevent or decrease the amount of waste generated. This includes recycling,

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purchasing recycled and environmentally preferable products, reducing energy use, and reducing greenhouse gas emissions.

IMPLEMENTING THE SWDA

5.7 Who implements the SWDA? The SWDA is a Federal and State program that manages the generation and disposal of non-hazardous solid waste. The EPA has authorized most States to operate and maintain a non-hazardous solid waste management program in lieu of Federal (EPA) management. EPA promulgates regulations that are adopted by the States as they are, or the States may set regulations that are equivalent, broader in scope, or more stringent than EPA's regulations. Local regulatory agencies also may enact non-hazardous solid waste management regulations that are more stringent or broader in scope than the Federal or State regulations (for example, some States consider used oil a hazardous waste, while it is a non-hazardous solid waste in others). Project Leaders and Facility Managers should be knowledgeable of State and local non-hazardous solid waste regulations. The RENs or RECCs can help managers determine what their States' or localities' regulations involve. You can find more information on waste management on [EPA's Web site](#).

5.8 What are the implementation strategies?

A. Where practicable, we must adopt or change our practices to prevent or reduce non-hazardous solid waste pollution by promoting waste reduction. This includes:

- (1) Green purchasing to avoid procurement of hazardous materials, where possible;
- (2) The effective management of materials inventories to prevent the generation of waste, especially hazardous waste;
- (3) Reduction of household waste at Service facilities;
- (4) Proper disposal; and
- (5) Recycling (see sections 5.10 through 5.16 and [565 FW 1](#), *Implementing Sustainable Practices*, [Exhibits 2](#) and [3](#)).

B. Managers must review purchasing strategies to ensure that:

- (1) We are obtaining the least toxic materials that are the least likely to become hazardous waste if the material becomes obsolete or unusable for any reason,
- (2) We maintain small inventories of material that could become hazardous waste,
- (3) We use older stocks first, and
- (4) We use material that could become hazardous waste before its expiration date.

C. All employees must handle, collect, and dispose of non-hazardous solid waste in compliance with applicable Federal, State, tribal, and local regulations. Also see Table 5-2.

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Table 5-2: Guidance for handling and disposing of non-hazardous solid waste

(1) We must operate our facilities according to any permits issued by State, tribal, or local agencies. Activities that State, tribal, and local agencies typically regulate include:

- (a)** Requirements for licensing and permitting existing onsite landfills;
- (b)** Disposal of non-hazardous solid waste offsite only at licensed or permitted municipal non-hazardous solid waste landfills, sanitary landfills, or other such licensed or permitted facilities;
- (c)** Recycling;
- (d)** Disposal of household waste;
- (e)** Disposal of construction waste and demolition debris;
- (f)** Management of yard waste; and
- (g)** Disposal of used tires.

(2) We must store all non-hazardous solid waste so as not to cause a fire, health, or safety hazard.

(3) At least once a week, we must collect and properly dispose of all non-hazardous solid waste that contains food waste.

(4) We must collect and properly dispose of all bulky waste at least every 3 months (the Project Leader/Facility Manager may determine if it's necessary to collect the waste more often).

(5) We must plan for the disposal of all non-recyclable or reusable construction waste and demolition debris during project planning, including a schedule for timely pickup of such waste and debris.

(6) We must collect all non-hazardous solid waste often enough to avoid nuisances and to inhibit the propagation or attraction of vectors.

(7) We must collect all non-hazardous solid waste or materials separated for recycling in a safe, efficient manner (also see sections 5.10 through 5.16).

(8) We must not dispose of hazardous waste as non-hazardous solid waste.

(9) We must develop and maintain a non-hazardous solid waste reduction program in accordance with [565 FW 1](#), *Implementing Sustainable Practices*.

(10) We must dispose all electronic waste according to [310 FW 5](#), *Reuse, Transfer, Loan, Donate, Sales/Exchange, Recycling, or Disposal of Personal Property* (also see section 5.15).

D. Employees must not use open dumps to dispose of any non-hazardous solid waste material. Dispose of all such waste in accordance with applicable Federal, State, tribal, and local regulations in approved sanitary landfills (see [40 CFR 240.101](#) and section 5.6I) or by using other approved methods, such as using it as riprap or for clean fill, etc.

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E. Employees must not openly burn non-hazardous solid waste material (see [40 CFR 240.101\(r\)](#)). Employees may use controlled burns if they obtain any required local air permits.

F. For disposal of medical waste, see [561 FW 13](#), *Medical Waste*.

G. Project Leaders/Facility Managers must maintain records related to managing non-hazardous solid waste for at least 3 years. The records should include the types and amounts of non-hazardous solid waste generated, any transportation papers, receipts from receiving disposal facilities, and records of recycling.

MANAGING OZONE DEPLETING SUBSTANCES (ODS)

5.9 What are employee responsibilities for managing ODS? We have established policies concerning the management of ODS in [565 FW 1](#), *Implementing Sustainable Practices*, [Exhibit 2](#), which include the following:

A. Identify and reduce the use and release of ODS that may result in significant harm to human health or the environment;

B. Maximize the use of safe alternatives to ODS as approved by EPA programs;

C. Phase out existing equipment containing ODS consistent with its normal life;

D. Properly dispose of ODS that was removed or reclaimed from facilities or equipment, including disposal as part of a contract, trade, or donation; and

E. When disposing of appliances or equipment containing ODS, ensure that the disposal will occur at a landfill that is properly permitted to receive such waste.

MANAGING RECYCLING

5.10 What are the goals and objectives of the recycling program?

A. In addition to the goals we describe in our policy statement in section 5.2, we've designed our recycling program to:

(1) Educate Service employees on the need to recycle waste materials;

(2) Establish a Servicewide, Regionally-administered, office waste recycling program (in Headquarters, the Division of Contracting and General Services administers the program);

(3) Reduce waste disposal costs;

(4) Earn revenue from the sale of recycled material;

(5) Divert waste from landfills;

(6) Stimulate the market for recyclable materials;

(7) Conserve forest lands and other valuable resources; and

(8) Decrease harmful emissions to the environment.

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B. We maintain active recycling programs that encourage:

(1) A reduction in the use of new materials, and

(2) An increase in the procurement of materials with a high content of recycled components (see [301 FW 7, Green Procurement](#)).

(3) Accurate reporting to the Department and others, as required. Exhibit 1 is a table of conversion factors for calculating the weight of various recycled material for use in reporting recycling rates.

5.11 How does the Service establish recycling pickup contracts?

A. Project Leaders/Facility Managers should work with their Contracting and General Services office, Regional Recycling Coordinator, or GSA Regional Recycling Coordinator to establish a contract for picking up recycling. The SDWA requires GSA to establish a nationwide office waste management program that includes preparation of contracts for picking up recycled materials. At some locations, recycling may be part of the lease provisions for the facility.

B. GSA has an established aluminum recycling contract in the Washington, D.C. metropolitan area. Regional offices should check with their Regional Recycling Coordinator or GSA Regional Recycling Coordinator to determine if this service is available in their Regions. See DEN's Sharepoint site for a current list of the Service's and GSA's Regional Recycling Coordinators.

5.12 How do Service employees collect paper for recycling, and what contaminants are acceptable?

A. Collecting paper: Our office paper recycling programs primarily require that we separate materials, but in some localities recycling authorities may allow us to recycle mixed papers.

B. Acceptable and unacceptable contaminants in paper recycling:

(1) *Acceptable contaminants in paper recycling:* Includes paper clips, staples, and water soluble glues (i.e., bond envelope glue).

(2) *Unacceptable contaminants in paper recycling:* Includes pressure-sensitive labels and tapes, plastic window envelopes, rubber bands, brown/gold kraft envelopes, binders (i.e., press board, plastic, cloth covered), binder clips, plastic materials, carbon paper, thermal facsimile paper, Post-it® notes, food wrappings, cups, and tissues.

5.13 How do Service employees collect household waste-type recyclables?

A. Aluminum cans:

(1) Project Leaders/Facility Managers or their staff should establish collection points in appropriate locations (e.g., near vending machines) for cans.

(2) Other methods to encourage collection and recycling of cans include:

(a) Marking containers with the words "Aluminum Cans,"

(b) Asking employees to empty and rinse the cans before putting them in the marked container, and

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(c) Purchasing inexpensive aluminum can crushers to reduce the volume of collected cans, and putting the crusher in the kitchen or employee lounge area.

B. Plastics: Employees should empty and rinse plastic containers before putting them in recycling containers that duty station personnel or local programs provide.

C. Glass bottles:

(1) Project Leaders/Facility Managers or their staff may provide separate containers labeled by color (i.e., clear, green, amber, and brown) to collect glass bottles if the local jurisdiction requires their separation.

(2) Employees should empty and rinse bottles before putting them in the containers.

5.14 How do Service employees recycle used oil and antifreeze?

A. Many local jurisdictions have established used oil and antifreeze recycling programs. In addition, many gas stations, fire stations, car dealerships, and auto discount stores have such programs. We encourage Project Leaders/Facility Managers to establish requirements for participating in such programs where available.

B. In some States, used oil is considered a hazardous waste and must be managed accordingly (see [561 FW 6](#) for information about managing, recycling, and disposing of hazardous waste).

C. The mixture of used oil and antifreeze is a hazardous waste. Never mix the two unless you plan to dispose of it as a hazardous waste.

5.15 How do Service employees recycle and dispose of electronic equipment?

A. Employees must follow Service policy, see [310 FW 5](#), to recycle or dispose of electronic equipment so that we are in compliance with GSA requirements. Even if employees know of a local nonprofit organization that would benefit from a contribution of equipment, they must meet the requirements in [310 FW 5](#) before making such a contribution.

B. Employees must also coordinate with their servicing Information Resources and Technology Management (IRTM) staff to sanitize the hard-drives on computers, tablets, smart phones, and other electronic equipment.

5.16 How do Service employees recycle and dispose of construction and demolition waste?

Employees must carefully manage construction and demolition projects to minimize the waste these activities generate and maximize the reuse and recycling of materials and debris. Employees should:

A. Plan to purchase construction materials that minimize waste packaging and shipping materials;

B. Specify green packing materials that may be reused or recycled easily;

C. Buy construction materials with a high content of recycled and post-consumer composition;

D. Plan demolition projects to minimize the disposal of material by:

(1) Identifying materials for recovery,

(2) Developing strategies to segregate reusable and disposable materials, and

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(3) Retaining material on site whenever possible (e.g., saving timber to use in new construction at the facility);

E. Investigate local destinations for recyclable materials. If recovered materials cannot be used on site or sold locally, consider donating them to local projects (e.g., local park authorities, scouting groups, etc.); and

F. Consider deconstruction over demolition when valuable reusable material is present, such as timber, steel, or aluminum.

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ACTING DIRECTOR

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