6.1 What is the purpose of this chapter? This chapter provides guidance for employees to properly manage hazardous waste at U.S. Fish and Wildlife Service (Service) facilities.

6.2 What is the Service policy on hazardous waste management? Our policy is to:

A. Comply with all applicable Federal, State, tribal, local, and Service-specific hazardous waste regulations;

B. Protect human health and the environment from the potential hazards of waste management;

C. Conserve energy and natural resources; and

D. Reduce or eliminate the quantity of toxic and hazardous chemicals and materials we acquire, generate, use, and dispose of.

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

A. All Service-owned or operated facilities that generate, handle, store, transport, treat, or dispose of hazardous waste; and

B. Any special use permit, lease, contract, or concession agreement that could involve the generation, handling, storage, transportation, treatment, or disposal of hazardous waste.

6.4 What are the authorities for this chapter?

A. Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901, et.seq.).

B. Hazardous Materials Transportation Act (Public Law 93-633).

C. U.S. Environmental Protection Agency (EPA), Hazardous Waste Management Regulations (40 CFR Parts 260 – 268, 273, and 279).

D. U.S. Department of Transportation (DOT), Hazardous Materials Regulations (49 CFR Parts 171 – 173).

E. Executive Order 12088, Federal Compliance with Pollution Control Standards.

F. Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management.

G. Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance.

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

A. Abandoned Materials. Materials that are being either:

(1) Disposed of, or

(2) Burned or incinerated.

B. Acutely Hazardous Waste. A waste that presents a substantial hazard even when properly managed, such as waste that is fatal to humans in low doses, waste with specific toxicity levels, and explosives. These include:

(1) Any waste in 40 CFR 261.31 through 261.33(c) with a hazard code of H;

(2) Hazardous waste from non-specific sources that are listed in 40 CFR 261.31 as F-listed wastes: F020, F021, F022, F023, F026, and F027 (see section 6.8D)**;** and

(3) Commercial chemical products, manufacturing chemical intermediates, and off-specification commercial chemical products listed in 40 CFR 261.33 as P- and U-listed wastes (see section 6.8D).

C. Discharge or Hazardous Waste Discharge. The accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of hazardous waste into or on any land or water.

D. Disposal. The discharge, deposit, injection, dumping, spilling, leaking, or placing of a hazardous waste into or on any land or water so that the waste or its constituents may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

E. Disposal Facility. A facility where hazardous waste is intentionally placed and will remain after closure.

F. EPA Hazardous Waste Number. The number EPA assigns to each hazardous waste in 40 CFR 261, Subpart D, and to each characteristic waste in 40 CFR 261, Subpart C.

G. EPA Identification Number. The number EPA assigns to each generator; transporter; and treatment, storage, or disposal facility.

H. Facility. All contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments) or combinations of them.

I. Federally Authorized State. A State that EPA has given primary responsibility for implementing the Resource Conservation and Recovery Act (RCRA) hazardous waste program. Federally authorized States have adopted and apply RCRA hazardous waste rules that are at least as stringent as the EPA rules.

J. Generator. Any person or entity whose processes and actions create hazardous waste listed in 40 CFR 261. Generators are divided into three categories based on the quantity of waste they produce, and each category must comply with the applicable set of requirements. The three categories are (see section 6.9 for details):

(1) Large Quantity Generators (LQGs),

(2) Small Quantity Generators (SQGs), and

(3) Conditionally Exempt Small Quantity Generators (CESQGs).

K. Hazardous Waste. A solid waste (see subsection P below) with a chemical composition or other properties that are dangerous or potentially harmful to human health or the environment. Hazardous wastes are determined by being on one of EPA's four lists (F, K, P, or U) or meeting one of four characteristics (ignitability, corrosivity, reactivity or toxicity) (see Tables 6-2 and 6-3).

L. Hazardous Waste Contingency Plan. A document setting out an organized, planned, and coordinated course of action to follow in case of a fire, explosion, or release of hazardous waste or hazardous waste constituents that could threaten human health or the environment.

M. Resource Conservation and Recovery Act (RCRA). Federal law that gives EPA the authority to regulate hazardous waste from cradle to grave. Enacted in 1976, RCRA was established to protect human health and the environment from the improper handling of solid waste and encourage resource conservation. Generators of hazardous waste are responsible for its control from the point of generation to the point of final disposal.

N. Safety Data Sheet. Provides information about health risks, safety precautions, first aid procedures, disposal requirements, and other data on various chemical products. Was previously known as a Material Safety Data Sheet (MSDS).

O. Secondary Containment. Any of several devices, such as liners and catch basins, that contain releases of hazardous materials stored in tanks, drums, or other containers, or transported through piping.

P. Solid Waste. "Solid" is somewhat of a misnomer as the regulations define solid wastes as solid, liquid, semi-solid, or containerized gaseous materials. It is a solid waste if it is:

(1) Discarded or has served its intended purpose;

(2) Abandoned;

(3) Being recycled by being placed on the ground (and that is not the normal use), burned for energy recovery, reclaimed, or accumulated for more than 1 year; or

(4) Inherently waste-like (e.g., dioxin wastes).

Q. Treatment. Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of a hazardous waste to:

(1) Neutralize it;

(2) Recover energy or material resources from it; or

(3) Render it non-hazardous or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.

R. Treatment, Storage, or Disposal Facility (TSDF). A licensed facility where hazardous waste is treated, stored, or disposed of.

S. Universal Waste. Hazardous wastes that have simplified management standards. They are exempt from some of the hazardous waste management requirements, provided that the generator follows alternative management requirements that ensure safe handling, recycling, or disposal (see section 6.17).

T. Used Oil. Any oil that has been refined from crude oil or any synthetic oil that has been used, and as a result of such use is contaminated by physical or chemical impurities (see section 6.18).

6.6 Who is responsible for administering this program? Table 6-1 describes the responsibilities of Service employees for the hazardous waste management program.

Table 6-1: Responsibilities for the Hazardous Waste Management Program

These employees…	**Are responsible for…**
A. The **Director**	Approving policy for our hazardous waste management program.
B. The **Assistant Director – Business Management and Operations**	Ensuring that the Service maintains an appropriate and effective hazardous waste management program.
C. Regional Directors	**(1)** Ensuring the proper implementation of our hazardous waste management program in their respective Regions, and **(2)** Identifying funding requirements necessary for compliance.
D. The **Chief, Division of Engineering**	**(1)** Developing policy for the hazardous waste management program; **(2)** Providing technical assistance to the Regions as they implement hazardous waste management programs; **(3)** Providing Environmental Compliance training that addresses

Table 6-1: Responsibilities for the Hazardous Waste Management Program	
These employees…	**Are responsible for…**
	RCRA hazardous waste management to Regional Environmental Compliance Coordinators (RECCs) and Service field station employees (see section 6.15); **(4)** Tracking corrective actions on violations and compliance schedules that regulatory agencies issue to Service facilities; **(5)** Anticipating and evaluating the effect of new and proposed regulations on Service facilities and funding requirements necessary to keep facilities in compliance; and **(6)** Reviewing and interpreting Federal legislative or administrative actions that affect Service facilities and providing awareness and understanding of the public health aspects and compliance requirements of these actions to the Regional Engineers (RENs) and RECCs.
E. Regional Engineers/Regional Environmental Compliance Coordinators (RENs/RECCs)	**(1)** Providing technical assistance to Project Leaders/Facility Managers as they implement their hazardous waste management programs; **(2)** Notifying the Division of Engineering when a facility is in violation or non-compliant; **(3)** Providing assistance to Project Leaders/Facility Managers in bringing their facilities back into compliance; **(4)** Advising their Regional Directors of new and proposed regulations affecting Service facilities to help them determine the funding requirements necessary to keep facilities in compliance; and **(5)** Reviewing and interpreting State legislative or administrative actions that affect our facilities and providing awareness and information about the environmental compliance requirements of these actions to all Project Leaders/Facility Managers within the affected State.
F. Regional Safety Managers	Guiding and assisting the RECCs and Project Leaders/Facility Managers on actions that minimize risk to human health associated with hazardous waste management.
G. Project Leaders/Facility Managers	**(1)** Implementing a hazardous waste management program at their facility; **(2)** Determining, with assistance from the RENs/RECCs, the storage, disposal, reporting, and recordkeeping requirements appropriate for their facility; **(3)** Ensuring that the facility is operated according to all Federal, State, tribal, and local regulations and Service policy concerning hazardous waste, and that all required reports are submitted on time (see section 6.14);

Table 6-1: Responsibilities for the Hazardous Waste Management Program	
These employees…	**Are responsible for…**
	(4) Providing the required notification to the RENs/RECCs whenever the facility is in violation or non-compliant; **(5)** Ensuring facility personnel are trained in the proper handling, storage, labeling, transportation, and disposal of hazardous waste; **(6)** Providing appropriate personal protective equipment (PPE) to employees; **(7)** Preparing a written hazardous waste contingency plan; and **(8)** Requesting sufficient funds to ensure compliance with the hazardous waste management program at their facility.
H. Employees	**(1)** Following applicable regulations and Service policy when handling, labeling, storing, and disposing of hazard waste; **(2)** Completing necessary training on hazardous waste relevant to their duties (see section 6.15); and **(3)** Wearing appropriate PPE while using or handling hazardous waste (applies only to employees trained in the proper management of hazardous waste).

6.7 What do Project Leaders/Facility Managers need to understand about this chapter and the various regulations authorized States have developed?

A. EPA established national hazardous waste standards that provide for “cradle-to-grave” management of hazardous wastes. Many States have the authority to manage their own State programs for hazardous wastes. While some of the authorized States have adopted EPA regulations, others have promulgated regulations that are more stringent.

B. This chapter is based solely on EPA’s regulations in Title 40 of the CFR. State regulatory programs vary widely, so it is very important for Project Leaders/Facility Managers to determine the State, tribal and local hazardous waste regulations that apply to their facilities.

C. EPA has a Web site that provides information to determine if a State regulatory program differs from EPA’s requirements. RECCs may provide assistance in determining facility-specific requirements.

6.8 What are the steps and requirements for identifying and classifying waste?

A. First, a facility identifies a waste stream.

B. Once the waste stream is identified, facilities must determine whether the waste meets the definition of a solid waste (see section 6.5P). Some materials are excluded from the definition of solid waste, such as:

(1) Domestic sewage,

(2) Industrial wastewater discharges,

(3) Radioactive waste,

(4) Spent wood preserving solutions that are reclaimed and reused in the wood preserving process,

(5) Processed scrap metal,

(6) Irrigation return flow,

(7) In situ mining waste, and

(8) Secondary materials that are reclaimed and returned to the original process in a way that is totally enclosed.

C. Once the facility determines the stream is a solid waste, it has to determine if the solid waste is excluded under RCRA regulations. RCRA excludes the following wastes:

(1) Household waste (e.g., pesticides, cleaners);

(2) Some agricultural wastes that are returned to the soil as fertilizers;

(3) Fossil fuel combustion wastes;

(4) Cement kiln dust (unless the facility burns hazardous waste as fuel);

(5) Wood wastes treated with arsenic when someone is using the wood (e.g., building a deck)—not when the wood is being manufactured or treated;

(6) Petroleum-contaminated media subject to the underground storage tank corrective action program (see 561 FW 7);

(7) Used oil filters that have been hot drained;

(8) Used chlorofluorocarbon refrigerants that are being reclaimed for further use;

(9) Samples collected for lab analysis until they are ready for disposal;

(10) Used oil that exhibits hazardous characteristics if it will be recycled (see section 6.18); and

(11) Some universal wastes (including batteries; mercury-containing thermostats, switches, and thermometers; and electric lamps) (see section 6.17).

D. If the solid waste is not excluded from RCRA requirements, the facility then must determine if the material is a “listed waste.” EPA’s listed wastes are in Table 6-2.

Table 6-2: Listed Hazardous Wastes

These wastes…	Are defined as…
F-listed wastes	The F list includes wastes from common industrial processes. Because they are not specific to one type of industry, they are called wastes from non-specific sources. This list includes many types of spent (or used) solvents. See 40 CFR 261.31 to see if the waste is F-listed. F020, F021, F022, F023, F026, and F027 wastes are acutely hazardous.

Table 6-2: Listed Hazardous Wastes	
These wastes…	**Are defined as…**
K-listed wastes	The K list includes wastes from specific industrial processes, such as wood preservation, organic chemical production, and pesticide manufacturing. See 40 CFR 261.32 for the complete list of manufacturing process wastes to see if the waste is K-listed.
P- and U-listed wastes	These two lists designate certain commercial chemical products as hazardous when disposed of unused. These unused chemicals may become wastes in a number of ways. Some can be spilled while in use, while others can be intentionally discarded. There are hundreds of P- and U-listed wastes. Facility personnel should look in 40 CFR 261.33 to see if the chemicals onsite are hazardous if disposed of unused. P-listed wastes are acutely hazardous. Generators with acutely hazardous waste are subject to different accumulation limits for those wastes.

E. Solid wastes that are not listed in 40 CFR 261 may still be hazardous. EPA uses a classification system based on the four properties of solid wastes. If a material exhibits at least one of these characteristics, it is classified as a characteristic hazardous waste. The four characteristics are described in Table 6-3.

Table 6-3: Characteristic Hazardous Wastes	
These hazardous characteristics…	**Are defined as …**
Ignitability	A substance is ignitable if it displays any of the following properties: **(1)** A liquid with a flashpoint of less than 140° F; **(2)** A non-liquid that is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture, or spontaneous chemical changes, and when ignited, burns so vigorously and persistently that it creates a hazard; **(3)** An ignitable compressed gas; or **(4)** An oxidizer (such as chlorate or peroxide). *Details on the ignitability characteristic are in 40 CFR 261.21.*
Corrosivity	A substance is corrosive if it displays any of the following properties: **(1)** An aqueous material with a pH less than or equal to 2, or greater than or equal to 12.5, or **(2)** A liquid that corrodes steel at a rate of at least 0.25 inches per year at 130 degrees F°.

Table 6-3: Characteristic Hazardous Wastes	
These hazardous characteristics…	**Are defined as …**
	Details on the corrosivity characteristic are in 40 CFR 261.22.
Reactivity	A substance is reactive if it displays any of the following properties: **(1)** Normally unstable and readily undergoes violent change without detonating; **(2)** Reacts violently with water; **(3)** Forms potentially explosive mixtures with water; **(4)** A cyanide- or sulfide-bearing waste that can generate fumes in a quantity sufficient to present a danger to human health; **(5)** Capable of detonation; or **(6)** A forbidden explosive, or a Class A or Class B explosive, as defined in DOT regulations in 49 CFR Part 173 (e.g., chlorates, nitroglycerin, unstable propellants). *Details on the reactivity characteristic are in 40 CFR 261.23.*
Toxicity	**(1)** A substance is toxic if it exceeds the concentrations for contaminants in the "Maximum Concentration of Contaminants for the Toxicity Characteristic" table in 40 CFR 261.24. **(2)** A specific test, the Toxicity Characteristic Leaching Procedure (TCLP) EPA Test Method 1311, must be conducted to determine whether extract from the waste contains any of the toxic metals or organic compounds above the concentrations listed in the table. *Details on the toxicity characteristic are in 40 CFR 261.24.*

6.9 What are the generator categories for hazardous wastes? Once facility personnel identify wastes as hazardous, the applicability of Federal regulations is determined by the quantity of hazardous wastes generated each month.

A. EPA has established three generator categories, each of which is subject to specific requirements:

(1) Conditionally Exempt Small Quantity Generator (CESQG). The majority of Service facilities are in this category. CESQGs must meet the following specifications:

(a) They generate no more than 100 kg (approximately 220 lbs.) of hazardous waste in a calendar month;

(b) Total onsite accumulation does not exceed more than 1,000 kg (approximately 2,204 lbs.) of hazardous waste;

(c) They generate no more than 1 kg (approximately 2 lbs.) of acutely hazardous waste in a calendar month;

(d) They generate no more than a total of 100 kg of any residue or contaminated soil, waste, or other debris resulting from the cleanup of any acutely hazardous wastes in a calendar month;

(e) If a facility exceeds any of the listed parameters, it must operate as a small or large quantity generator, depending on the amount generated;

(f) Hazardous waste from a CESQG must either be treated or disposed of in an onsite facility or delivered to an offsite TSDF;

(g) Even though a CESQG doesn't have to use a manifest or obtain an EPA hazardous waste identification (ID) number, many hazardous waste haulers will not transport hazardous waste from a facility without them;

(h) Although EPA does not have storage requirements for CESQGs, the Service requires facilities to label containers "Hazardous Waste" and indicate a start date (initial date of accumulation of the waste) (see section 6.10 for storage requirements); and

(i) Although not required by Federal regulations, the Service requires CESQGs to develop and maintain a basic hazardous waste contingency plan. See Exhibit 1 for an example contingency plan suitable for CESQGs.

You can find additional standards for CESQGs in 40 CFR 261.5.

(2) Small Quantity Generator (SQG). SQGs must meet the following conditions:

(a) They generate less than 1,000 kg (approximately 2,204 lbs.) of hazardous waste in a month;

(b) Onsite accumulation time does not exceed 180 days, or 270 days if the waste will be shipped more than 200 miles;

(c) They generate no more than 1 kg (approximately 2 lbs.) of acutely hazardous waste in one month;

(d) Total onsite accumulation does not exceed more than 6,000 kg (approximately 13,227 lbs.);

(e) If a facility exceeds any of the listed parameters, it must operate as a Large Quantity Generator;

(f) They must obtain an EPA ID number;

(g) They must develop and maintain a basic hazardous waste contingency plan; and

(h) The Project Leader/Facility Manager must identify an emergency coordinator who is either on the premises or on call.

You can find additional standards for SQGs in 40 CFR 262.

(3) Large Quantity Generator (LQG). LQGs must meet the following conditions:

(a) They generate 1,000 kg (approximately 2,204 lbs.) or more of hazardous waste in a month;

(b) Onsite accumulation time does not exceed 90 days;

(c) They must have an emergency coordinator on the premises or on call at all times;

(d) They must obtain an EPA ID number; and

(e) They must develop and maintain a hazardous waste contingency plan.

You can find additional standards for LQGs in 40 CFR 262.

B. SQGs and LQGs may store waste at a Satellite Accumulation Point (SAP), which is subject to less stringent storage and labeling requirements than a central accumulation area. A SAP is at or near the point of generation where wastes initially accumulate and must be under the control of the operator of the waste generating process. The following requirements apply to SAPs:

(1) Containers must be in good condition and compatible with the waste stored in them;

(2) Containers must be kept closed except when waste is being added or removed;

(3) Containers must be marked "Hazardous Waste" or with other words that identify the contents;

(4) There should be no more than 55 gallons of hazardous waste (this is the total of all the hazardous waste stored at the SAP) or 1 quart of acutely hazardous waste in containers; and

(5) When more waste is accumulated than the limitations in subsection (4) above, personnel must mark the excess container with the date the excess amount began accumulating and transfer the excess waste to a 180-day (for SQG), 90-day (for LQG), or permitted storage area within 3 days.

C. Some States do not use the same classification system for generator status, and may have different compliance requirements for the various classifications (e.g., California does not have a CESQG status). Project Leaders/Facility Managers who are generators must be familiar with their State's requirements. Visit EPA's Web site to determine if a State regulatory program is different from the Federal program.

6.10 What are the hazardous waste storage requirements for facilities?

A. EPA's waste management regulations require SQGs and LQGs to meet specific requirements for containers, storage areas, segregation of incompatible wastes, inspections, and spill control and containment materials.

B. Manage containers holding hazardous waste as follows:

(1) Label each container with the words "Hazardous Waste," or with other words that identify the contents and the date that the waste was generated;

(2) Use a container made of, or lined with, a material that is compatible with the hazardous waste to prevent the waste from reacting with or corroding the container;

(3) Keep all containers holding hazardous waste closed during storage, except when adding or removing waste. Do not open, handle, or store (e.g., stack) containers in a way that might rupture them or cause them to leak or otherwise fail;

(4) Inspect containers at least weekly. Look for leaks and for deterioration;

(5) Maintain the containers in good condition. If a container leaks, put the hazardous waste in another container, or contain it in some other way that complies with EPA regulations; and

(6) Do not mix incompatible wastes or materials unless you take the necessary precautions.

C. Follow these requirements applicable to the storage location:

(1) Provide sufficient aisle space (36 inches) to allow unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment;

(2) Ensure there are portable fire extinguishers and fire control equipment present, including any special extinguishing equipment that some stored wastes may require;

(3) Maintain adequate spill control and containment material to contain or clean up spills;

(4) Position the containers so that the hazardous waste label is clearly visible at all times;

(5) Electrically ground containers of highly flammable wastes;

(6) When possible, keep containers of hazardous waste under a roof to prevent over-heating from direct sunlight; and

(7) Inspect storage areas and containers weekly using the Hazardous Waste Storage Area Weekly Inspection Form (FWS 3-2453). Keep inspection forms in the facility files permanently.

D. Although not required by Federal regulations, the Service requires that CESQG facilities develop and maintain a basic hazardous waste contingency plan. They are designed to minimize hazards from fires, explosions, or any unplanned release of hazardous waste or hazardous waste constituents into the environment. Regulations require that LQGs and SQGs have a contingency plan (see 40 CFR 262.34(a)(4) and 40 CFR 262.34(d)(5), respectively).

(1) The contingency plan should be brief and specific for both the facility and the hazardous waste managed at the facility. See Exhibit 1 for an example contingency plan suitable for SQGs and CESQGs.

(2) The contingency plan should include, at a minimum:

(a) A description of what to do during an emergency;

(b) A description of arrangements made with local police, fire departments, hospitals, contractors, and State and local emergency response teams, as appropriate;

(c) Names and phone numbers of personnel assigned to serve as emergency coordinators;

(d) A list of emergency equipment, spill control material, and decontamination supplies, and where they are located; and

(e) An evacuation plan for facility personnel if it might be necessary.

(3) Routinely review and update the contingency plan (at least annually), and especially when there are changes to the emergency coordinators, the waste being handled, or the list of emergency equipment.

6.11 What are the best practices and requirements for minimizing hazardous waste at facilities?

A. All Service facilities should reduce hazardous waste generation and disposal by implementing the following procedures and processes as applicable:

(1) Eliminate or reduce at the source by changing processes that result in the generation of hazardous waste;

(2) Use a less hazardous or toxic material in the process, if possible;

(3) Make equipment changes that will eliminate or reduce the generation of hazardous waste;

(4) Recycle, recover, and reuse hazardous materials;

(5) Eliminate or reduce excess hazardous materials and those with a shelf-life that has expired; and

(6) As a last resort, dispose of the hazardous waste (see section 6.12).

B. Although no specific RCRA requirements for waste minimization apply to CESQGs, RCRA does require SQGs to make a good faith effort to minimize waste generation and to select the best available waste management method.

C. LQGs must have a formal hazardous waste minimization program in place to reduce the volume and toxicity of waste generated to the degree it is economically practicable. They also must select a treatment, storage, or disposal method that minimizes present or future threats.

D. SQGs or LQGs must prepare a Uniform Hazardous Waste Manifest for shipment of hazardous waste offsite. By signing the manifest, they certify that a program is in place to reduce the volume and toxicity of generated waste.

E. SQGs and LQGs must prepare and submit a biennial report to the EPA Regional Administrator that includes:

(1) A description of efforts during the year to reduce the volume and toxicity of waste generated, and

(2) A description of the changes to volume and toxicity of waste actually achieved during the year in comparison to previous years.

6.12 What are the hazardous waste disposal requirements for facilities?

A. CESQGs:

(1) CESQG facilities must ensure delivery of their hazardous wastes to a:

- **(a)** RCRA TSDF;
- **(b)** State-authorized solid waste facility;
- **(c)** Facility that beneficially uses, reuses, or reclaims the waste; or
- **(d)** Universal waste handler or destination facility.

(2) Although CESQGs are not required by Federal law to obtain an EPA ID number or use a hazardous waste manifest when shipping hazardous wastes, some States and some disposal facilities may require that they comply with those EPA standards. Service employees should check the State requirements for their facility.

B. SQGs and LQGs must send their wastes to either a RCRA TSDF or a recycling facility, and they must:

(1) Ensure that hazardous waste shipments are properly packaged, labeled, marked, and placarded in accordance with DOT regulations;

(2) Prepare hazardous waste manifests;

(3) Ensure the TSDF returns a copy of the original manifest in the timeframe required, or submit an exception report if the original manifest is not returned (see section 6.14B);

(4) Maintain copies of the manifests signed by TSDF personnel permanently; and

(5) Ensure that their hazardous waste meets the land disposal restrictions (LDRs) and send the receiving TSDF a completed LDR form (LDR forms are in 40 CFR 268.7).

C. Hazardous waste transporters usually will help prepare manifests; LDR forms; and labels, marks, and placards for shipments, but our personnel must ensure the accuracy of the information before signing the manifest as a representative of the Service.

6.13 What should employees do if there's a spill or release of hazardous waste?

A. Employees should respond in accordance with:

(1) The hazardous waste contingency plan for their facility, and

(2) Manual Chapter 242 FW 6, Hazardous Waste Operations and Emergency Response.

B. Employees should report a spill or release of hazardous waste in accordance with 560 FW 3, Reporting Releases of Hazardous Substances, Oil Discharges, and Contaminated Sites.

6.14 What are the reporting requirements for generators of hazardous waste? Hazardous waste generators are required to submit the following reports:

A. Biennial Report: LQGs who ship hazardous waste offsite to a TSDF must prepare and submit a biennial report to the authorized State agency or EPA Regional office by March 1 of each even-numbered year (2014, 2016, 2018, etc.). SQGs and CESQGs are not required to submit the report unless they generate more than 1,000 kg of hazardous waste, 1 kg of acute hazardous waste, or 100 kg of acute hazardous waste spill cleanup in one or more months of the report year. Use EPA Form 8700 13 A/B (a PDF-fillable form).

(1) The Project Leader/Facility Manager signs the report certification, and sends the report to the authorized State agency or EPA Regional office with a copy to the RECC.

(2) Some States have additional requirements that are more stringent than the Federal regulations. Project Leaders/Facility Managers must be familiar with their States' requirements. Visit EPA's Web site to determine if a State's reporting requirements are different from the Federal program.

B. Exception Reporting:

(1) Exception reports are part of the RCRA tracking system. When a generator sends waste offsite for disposal, the TSDF is required to return to the facility a copy of the original manifest. If the facility does not receive the manifest from the TSDF, they must submit an exception report. The specific process depends on the category of the hazardous waste generator, as follows:

(a) SQGs: SQGs must file an exception report if they have not received a copy of the signed manifest from the TSDF within 45 days of the date the waste was accepted by the initial transporter. There is no special form for the report. The facility can write directly on a copy of the manifest or attach a separate sheet of paper (handwritten or typed), that includes:

(i) A legible copy of the manifest in question;

(ii) A statement explaining what they did to locate the hazardous waste; and

(iii) The Project Leader/Facility Manager's signature.

(b) LQGs: If an LQG does not receive a copy of the manifest within 35 days from the date that the waste was accepted by the original transporter, they must contact the transporter and the TSDF to determine the location of the waste. If the facility still has not received a copy of the manifest within 45 days, it must submit an exception report with the same elements identified in section 6.14B(1)(a) above.

(2) The facility sends the report to their authorized State agency or EPA Regional office, with a copy to their RECC.

6.15 What are the training requirements for employees who manage hazardous waste?

A. LQGs must have a formal personnel training program in place in accordance with the requirements in 40 CFR 265.16 and 262.34(a)(4). This includes initial training and an annual refresher that teaches proper waste management practices and familiarizes employees with procedures, equipment, and systems to effectively respond to emergencies.

B. SQGs and CESCGs are not subject to the training requirements of 40 CFR 265.16, but they still must ensure that employees know the proper waste handling and emergency procedures relevant to their responsibilities within 6 months after the date of employment or being assigned to the position (40 CFR 262.34(d)(5)(iii)). If an SQG exceeds the threshold and becomes a LQG in any given month, managers must ensure affected employees receive the LQG-required training immediately.

C. The Division of Engineering offers an Environmental Compliance training class on a cyclical basis, which fulfills the training requirements for SQGs and CESQGs (the Service does not currently have any LQGs). See Table 6-4.

Table 6-4: Relevant topics in the Division of Engineering's Environmental Compliance Course

These topics are covered…	And they include information on …
(1) Hazardous materials management	• Identifying chemicals, • Interpreting safety data sheets, • Storing and shipping materials, • Marking containers, • Preparing manifests, • Recordkeeping, and • Handling materials.
(2) Hazardous waste identification and management	• Storing and shipping waste, • Preparing hazardous waste manifests, • Complying with State and Federal hazardous waste regulations, and • Labeling and marking containers.

Table 6-4: Relevant topics in the Division of Engineering's Environmental Compliance Course	
These topics are covered…	**And they include information on …**
(3) Used oil	• Spill Prevention, Control, and Countermeasures (SPCC) plans; and • Managing petroleum products.
(4) Greening and pollution prevention activities	• Green purchasing, • Reducing waste, • Reducing toxicity of materials, • Recycling, and • Determining the best choices of materials and procedures to reduce or eliminate hazardous waste.

6.16 What are the recordkeeping requirements for facilities related to hazardous waste?

A. It is Service policy that facilities must retain the following records permanently:

(1) Manifests;

(2) Notices and documentation associated with LDRs;

(3) Biennial reports;

(4) Exception reports;

(5) Any test results, waste analysis, or similar information related to waste shipped offsite; and

(6) Inspection schedules and reports.

B. Facilities must keep employees' hazardous waste training documentation and records until the facility no longer handles hazardous waste, or for 3 years after an employee leaves the Service or the facility.

6.17 What are universal wastes and how should they be managed?

A. Universal wastes are wastes that meet hazardous waste criteria but, because they pose a relatively low risk compared to other hazardous wastes, are exempt from regulation as hazardous waste. EPA encourages recycling of certain universal wastes. Universal wastes include:

(1) Batteries, such as nickel-cadmium (Ni-Cd) and small sealed lead-acid batteries, which are found in many common items, including electronic equipment, cell phones, portable computers, and emergency backup lighting;

(2) Pesticides that have been recalled or banned from use, are obsolete, have become damaged, or are no longer needed;

(3) Thermostats, which can contain as much as 3 grams of liquid mercury and are located in almost any building, including commercial, industrial, agricultural, community, and household buildings; and

(4) Certain lamps that typically contain mercury and sometimes lead, and are found in businesses and households. Examples include fluorescent, high-intensity discharge (HID), neon, mercury vapor, high-pressure sodium, and metal halide lamps.

B. Generators of universal waste are designated as either a Small Quantity Handler of universal waste (accumulates less than 11,000 lbs. of universal waste at any one time) or a Large Quantity Handler of universal waste (accumulates 11,000 lbs. or more). Except for documentation requirements, there is no difference in how the two handlers manage universal waste. They both must manage their universal wastes according to the following general requirements:

(1) Manage universal waste in a way that prevents breakage and releases to the environment;

(2) Keep containers of universal waste closed;

(3) Immediately contain and transfer to an appropriate container any universal waste that shows evidence of leakage or damage;

(4) Meet waste-specific container or packaging requirements;

(5) Label or mark the universal waste (or container holding the universal waste) to indicate that it is a waste or universal waste, and indicate the date that storage began. For example, mark universal waste lamps as “Universal Waste Lamps,” “Waste Lamps,” or “Used Lamps;”

(6) Accumulate universal waste for no longer than 1 year (a handler must be able to demonstrate the length of time that a universal waste has been accumulated from the date it became a waste or it is received);

(7) Ensure that employees handling universal waste are familiar with proper handling and emergency procedures; and

(8) If a release of universal waste occurs, comply with the emergency actions in the hazardous waste contingency plan and determine if any material resulting from the release is hazardous waste.

C. Federal universal waste regulations may be found in 40 CFR 273. State regulations may be more stringent, and may designate additional wastes as universal wastes (e.g., paint and paint-related wastes, aerosol cans, electronic devices, fluorescent light ballasts that contain PCBs, and antifreeze). Personnel should refer to their State’s universal waste regulations to determine the applicable requirements for their location.

6.18 How must Service employees manage used oil?

A. Used oil is not regulated as a hazardous waste if it is recycled or burned as a fuel. This means that facilities can manage used oil as described below as long as they do not mix or contaminate it with hazardous waste.

B. EPA developed management standards for generators that handle used oil. The standards are common sense, good management practices designed to ensure the safe handling of used oil, to maximize recycling, and to minimize disposal.

C. Facilities that generate used oil must:

(1) Label storage containers or tanks with the words, “Used Oil;”

(2) Ensure the label is visible from 25 feet away;

(3) Store used oil containers in sufficiently sized secondary containment;

(4) Store used oil in containers or tanks that are in good condition;

(5) Inspect used oil containers on a weekly basis; and

(6) If a leak of used oil occurs, stop the leak, contain it, clean it up, and properly manage the cleanup materials.

D. Facilities also must maintain records of delivery and acceptance of used oil to recyclers. It is acceptable to use logs, invoices, or other shipping documents as records. Maintain the records for 3 years.

E. Facilities that store more than 1,320 gallons of used oil in aboveground tanks or containers over 55 gallons are subject to applicable SPCC requirements (40 CFR 112) in addition to the used oil management standards.

F. Individual States may have additional requirements for used oil. In some States, used oil is considered a hazardous waste. Service employees should determine the State requirements for managing used oil at their facility. They may ask their RECC for assistance in determining these requirements.

6.19 Where can employees find additional information about managing hazardous waste?
Resources for additional information are:

A. *The U.S. Army Corps of Engineers' U.S. TEAM Guide, and the Service's Supplement to the Guide:* These guides provide detailed information about the Federal regulations governing hazardous waste management as they apply to Service facilities. The guides also include State supplements which contain information about State regulations that are more stringent than Federal requirements. The guides are available on the Service Intranet.

B. *Your RECC:* Contact your RECC for more information specific to your facility and your Region.

/sgd/ Stephen Guertin
DEPUTY DIRECTOR

Date: October 18, 2013