

# UNIVERSAL

# WASTE

# RULE



United States  
Environmental Protection  
Agency

EPA530-F-95-025  
February 1996



Printed on paper that contains at least 20 percent postconsumer fiber.

## THE UNIVERSAL WASTE RULE HAS UNIVERSAL APPEAL! IT...

**Eases regulatory burdens on businesses.**

**Promotes proper recycling or disposal of hazardous waste batteries, pesticides, and thermostats, which will reduce the amount of hazardous waste items in the municipal solid waste stream.**

**Provides for collection opportunities for communities and businesses.**

## REINVENTING ENVIRONMENTAL REGULATIONS

As part of the U.S. Environmental Protection Agency's (EPA's) commitment to reinvent environmental regulations, the Agency recently issued the "Universal Waste Rule." This rule is designed to reduce the amount of hazardous waste items in the municipal solid waste (MSW) stream, encourage recycling and proper disposal of certain common hazardous wastes, and reduce the regulatory burden on businesses that generate these wastes.

By reducing administrative requirements, this rule is expected to save companies more than \$70 million per year in compliance costs and reduce the amount of time spent on paperwork requirements by over 500,000 hours per year. Administrative reductions also would help encourage collection and recycling programs, thereby reducing the amount of these common hazardous items that are thrown into the trash by households and small businesses. Removing these materials from municipal landfills and incinerators will prevent a potential threat to public health and the environment.

This rule was promulgated by EPA as an amendment to the Resource Conservation and Recovery Act (RCRA) regulations. States that are authorized to implement the RCRA program are strongly encouraged to adopt this rule.

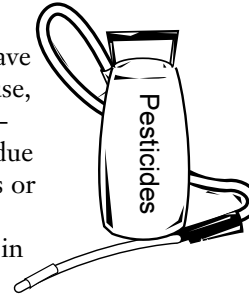
## WHAT ARE UNIVERSAL WASTES?

Universal wastes include:



**Batteries**, such as nickel-cadmium (Ni-Cd) and small sealed lead-acid batteries, which are found in many common items in the business and home setting, including electronic equipment, mobile telephones, portable computers, and emergency backup lighting.

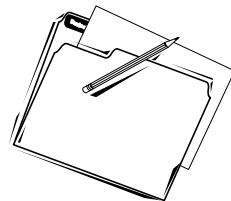
**Agricultural pesticides** that have been recalled or banned from use, are obsolete, have become damaged, or are no longer needed due to changes in cropping patterns or other factors. They often are stored for long periods of time in sheds or barns.



**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.



## WHO IS AFFECTED BY THIS RULE?



**Businesses.** Universal wastes are generated by small and large businesses that are regulated under RCRA and have been required to handle these materials as hazardous wastes. The Universal Waste Rule eases the

regulatory burden on businesses that generate these wastes. Specifically, it streamlines the requirements related to notification, labeling, marking, prohibitions, accumulation time limits, employee training, response to releases, offsite shipments, tracking, exports, and transportation. For example, the rule extends the amount of time

that businesses can accumulate these materials on site. It also allows companies to transport them with a common carrier, instead of a hazardous waste transporter, and no longer requires companies to obtain a manifest.

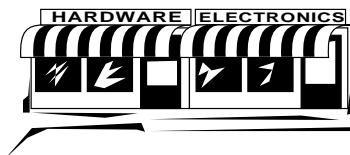
Many industries strongly support this new rule because they have identified easy collection of universal wastes as a priority to ensure sound environmental management. This rule will make it easier for companies to establish collection programs and participate in manufacturer take-back programs required by a number of states. Many large manufacturers and trade associations are already planning national and regional collection programs for their products.

The rule does not apply to businesses that generate less than 100 kilograms of universal wastes per month (Conditionally Exempt Small Quantity Generators). EPA encourages these businesses to participate voluntarily in collection and recycling programs by bringing these wastes to collection centers for proper treatment and disposal.

**Households.** Universal wastes also are generated by individual households, which are not regulated under RCRA and are allowed to dispose of these wastes in the trash. While new MSW landfills are designed to handle small amounts of hazardous wastes, these wastes can be better managed in a designated program for collection or recycling. EPA encourages residents to take these items to collection sites located at nearby businesses and other centers for proper recycling or disposal.



**Communities.** Communities in states that adopt this rule can work with both businesses and residents to facilitate proper recycling or disposal of universal wastes. By easing the regulatory burden on businesses, more collection sites will be available. Communities can establish collection programs or assist collection programs set up by area businesses.



## WHAT IS THE STATES' ROLE?

Like most federal environmental legislation, RCRA encourages states to develop and run their own hazardous waste programs as an alternative to direct EPA management. When EPA issues a new rule, such as the Universal Waste Rule, states that are authorized to implement the RCRA program must adopt the rule in a separate state rulemaking for it to be effective. Because the Universal Waste Rule is less stringent than the current requirements under RCRA, state adoption is optional. EPA strongly encourages state adoption, however, to foster better management of universal wastes in each state. Quick state adoption will make interstate issues less complex. Consistent programs among states will facilitate implementation of national and regional collection programs.

States may adopt the entire rule or portions of it, including:

- General provisions
- Provisions for batteries, pesticides, and thermostats
- Provisions allowing the addition of new universal wastes

If states adopt the petition provision, they will be allowed to add wastes to their universal waste programs without EPA having to add the wastes at the federal level. The rule will go into effect immediately in states and territories that are not RCRA-authorized including Iowa, Alaska, Hawaii, and Puerto Rico. *State adoption is strongly encouraged.*

## FOR MORE INFORMATION

The rule was published in the May 11, 1995, *Federal Register* and is found in the *Code of Federal Regulations* at 40 CFR Part 273. For more information about the rule, call the RCRA/Superfund Hotline at 800 424-9346 or TDD 800 553-7672. In the Washington, DC, area, call 703 412-9810 or TDD 703 412-3323.