



# Fact Sheet

## Universal Waste Handlers

### Background

Oregon's 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 will guide those who create and manage universal wastes. For the complete universal waste rules, see the Code of Federal Regulations, Title 40, Part 273 and Oregon Administrative Rule 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 five types of waste considered to be universal wastes: batteries, pesticides, aerosol cans, mercury-containing equipment, and mercury-containing lamps (fluorescent light tubes and high-intensity discharge or HID lamps).

One important note on the management of mercury-containing lamps is that universal waste regulations prohibit the crushing of these lamps. Crushing using a drum-top crusher or other device that reduces the volume of mercury-containing lamps by breaking them is considered hazardous waste treatment. Applicable hazardous waste management and standards pertain to these generated wastes. For more information, please refer to the fact sheet on Mercury-Containing Waste Lamp Management.

### What's 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's 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's 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, and pesticide collection programs.

## Who's not affected?

Management of household and very small quantity generator 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 5,000 kilograms (11,000 pounds) of universal waste at any time.
- A "large quantity universal waste handler" is one who accumulates 5,000 kilograms (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:

Universal Waste Handler Requirements	If you're a small quantity universal waste handler (less than 11,000 lbs.)	If you're 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 off-site universal waste collection site or UW destination facility	Yes	Yes	7
Track waste shipments	No, but encouraged	Yes	8

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# 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, before accumulating 5,000 kilograms (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 these releases. Waste-specific management requirements are 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're 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; or 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; or Used Mercury-Containing Equipment.
- **Mercury-containing lamps**  
Universal waste mercury-containing lamps or containers that contain waste lamps must be labeled or clearly marked as either "Universal Waste – Mercury-Containing Lamps" or "Waste 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" or "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

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- Marking or labeling the individual item of universal waste (for example, 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 (battery, lamp) became a waste or was received
- Maintaining an inventory system on site identifying 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 the area became a waste
- Using any other method which clearly demonstrates the length of time that the universal waste had 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 specific waste handling procedures.

Any training provided under other programs (such as OSHA, worker right to know, pesticide licensing) 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 on employee training are not required.

## **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 hazardous, 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 before 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 universal waste shipments (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

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other shipping document. The information must include name and address of the facility receiving the waste, quantity and type of each waste shipped, and date the shipment occurred. Shipping records must be maintained for at least three years from the date a shipment left the handler facility.

## What's required of universal waste handlers who accept more than 2,200 pounds from off site?

In addition to the requirements outlined 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 0040 (off-site collection sites) and 0070 (pesticide collection programs).

## How can I receive more information?

For specific regulatory guidance, refer to the actual rule (OAR Chapter 340, Division 113), that is available from DEQ. DEQ also has the following universal waste materials available:

- Universal waste battery fact sheet
- Universal waste mercury-containing equipment fact sheet
- Managing mercury-containing lamps fact sheet
- Aerosol can management fact sheet
- Universal waste activity form

DEQ's universal waste regulations are in [Oregon Administrative Rules Chapter 340, Division 113](#)

DEQ's hazardous waste regulations are in [Oregon Administrative Rules Chapter 340, Division 102](#)

Other related federal requirements of interest are on the federal website for Title 40, "Protection of the Environment."

- Part 261 (hazardous waste identification)
- Part 262 (hazardous waste generators)
- Part 273 (universal waste)

## DEQ regional offices and assistance

For more assistance, see the DEQ hazardous waste program specialist in your area.

- **Northwest Region office:** 700 NE Multnomah St., Suite 600, Portland, OR 97232, 503-229-5696
- **Bend office:** 475 Bellevue, Suite 110, Bend, OR 97701, 541-388-6146
- **Pendleton office:** 800 SE Emigrant, Suite 330, Pendleton OR 97801, 541-276-4063
- **Salem office:** 4026 Fairview Industrial Drive, Salem, OR 97302, 503-378-8240
- **Eugene office:** 165 E. 7th Ave., Suite 100, Eugene OR 97401, 541-686-7838

## Alternate formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov).

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