

GSA ORDER

SUBJECT: Regulated Waste Management

1. Purpose. To establish GSA's policy for managing regulated wastes.
2. Cancellation. This Order replaces the Hazardous Waste technical guide, *PBS Universal Wastes: What You Need to Know Guide*, and the PBS guidance document: *Disposing of Personal Sharps Used in GSA Buildings*.
3. Authority.
 - a. Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq., as amended) including all applicable parts and subparts of Title 40: Protection of Environment: Parts 260-268—Standards for Hazardous Waste Management; 273—Standards for Universal Waste Management; and 279—Standards for the Management of Used Oil.
 - b. Toxic Substances Control Act (TSCA) (15 U.S.C. §2601 et seq., as amended) including all applicable parts and subparts of Title 40, Part 761—Polychlorinated Biphenyls (PCBs).
 - c. 40 CFR Chapter I, Subchapter R - TSCA.
 - d. Clean Air Act (CAA) (42 U.S.C. §7401 et seq., as amended) including all applicable parts and subparts of Title 40, Part 61, Subpart M—National Emission Standard for Asbestos.
 - e. 40 CFR Chapter I, Subchapter C – Air Programs.
 - f. Title 40 CFR Part 763, Appendix D to Subpart E: Transportation and Disposal of Asbestos Waste.
 - g. Title 49: Transportation: Parts 171-180.
 - f. Title 41: Public Contracts and Property Management: Subtitle C, Chapter 102—Federal Management Regulation.

g. Applicable National Fire Protection Association (NFPA) and International Fire Code (IFC) codes and standards.

4. Background.

a. The Environmental Protection Agency (EPA), under the authority of various public laws, develops regulations that set the framework for the proper management of hazardous and non-hazardous wastes. These regulations establish comprehensive requirements to ensure that hazardous waste, used oil, and toxic substance wastes are managed safely from the point of generation through disposal. Because RCRA is a comprehensive law, the generator of the hazardous waste maintains responsibility (i.e., liability) for the waste, even when the waste leaves the site for transportation, off-site storage, treatment, and/or disposal.

b. EPA may delegate authority to States to administer their own regulated waste programs. These regulations act “in lieu of” Federal regulations. As such, some States may control regulated waste differently.

c. The Federal Facility Compliance Act of 1992, an amendment to RCRA, requires Federal agencies to comply with all Federal, State, interstate, and local solid and hazardous waste laws and regulations, including the imposition of fines and penalties. As such, GSA tenants are responsible for understanding and complying with applicable regulated waste requirements at all governmental levels of regulation.

d. GSA and tenant agency operations that commonly generate regulated waste include, but are not limited to, firing ranges, laboratories, vehicle maintenance, renovations and repairs, and general building operations and maintenance (O&M) activities. The extent of regulation, and potential risks, to which GSA facilities are subject depends on the volume and type of hazardous waste generated or stored at a facility at any time.

e. The potential risks associated with regulated waste generation, management, and disposal includes property damage, major financial obligations, and negative impacts to human health, safety, and the environment.

5. Scope and Applicability. This Order and attachments apply to all facilities under GSA’s jurisdiction, custody, or control, including all leased space where GSA has control over waste management activities, and buildings delegated to other Federal agencies by the Administrator of General Services. These documents are not applicable to leases where the lessor is responsible for waste disposal, nor regulated waste activities associated with property excessed through the PBS Office of Real Property Utilization and Disposal.

6. Responsibilities. The Offices of Facilities Management, Project Delivery, and Portfolio Management and Customer Engagement, Regional Commissioners, Facility Management and Service Center Directors, Facility Managers and Lease Administration

Managers shall ensure this Order is implemented in conformance with the companion desk guide and all its elements are incorporated into planning activities, management decisions, policy development, and operations.

7. Policy. Facilities and tenant agencies subject to this Order shall comply with all applicable Federal, State, and local regulations for the management of regulated waste, and the procedures set forth herein. Where differences among requirements exist, the more stringent requirement shall be applied.

8. General Requirements.

a. GSA or its designee shall:

(1) Comply with all applicable governing standards for the proper management (e.g., packaging, labelling, characterization, transportation, and disposal, etc.) of regulated wastes as defined herein.

(2) Incorporate language in all Occupancy Agreements that requires tenants including delegates to comply with all applicable Federal, State, and local environmental regulatory requirements.

(3) To the extent practicable, reduce or eliminate the quantity of toxic and hazardous chemicals and materials acquired, generated, used, and disposed.

(4) Implement processes to determine the types of regulated wastes generated. Develop and maintain a current waste generation inventory to determine RCRA generator status, and comply with the requirements associated with the determined generator status.

(5) Obtain an EPA Hazardous Waste Identification Number (ID Number) in accordance with applicable regulations. To the extent allowable by the regulator, each waste generator shall be responsible for obtaining an ID Number.

(6) Manage all containers in accordance with the applicable EPA and Department of Transportation (DOT) regulations for the storage, packaging, labeling, marking, placarding, shipping, and disposal of regulated wastes.

(7) Contract only with licensed waste haulers and transfer regulated wastes only to an Approved Facility authorized to accept, recycle, treat, store, or dispose the specific wastes being shipped offsite.

(8) Complete, and maintain all records and reports in accordance with regulatory and GSA requirements (within, for example, the National Computerized Maintenance Management System) including waste sampling, waste characterization, accumulation, and shipping/disposition records (e.g., manifests). Regulated waste records shall be maintained for the life of the facility.

(9) Ensure appropriate personnel are trained as required by Federal, State, interstate, and local regulations. Training for contract personnel shall be the responsibility of the contractor.

(10) Develop and document site-specific spill prevention and control procedures and maintain appropriate level of cleanup supplies in accordance with Federal, State, interstate, and local regulations.

(11) Prepare and submit all notifications and reports as required by the regulator. This requirement may include but is not limited to the completion of Biennial Hazardous Waste Reports; notices of intention to demolish or renovate that may result in generation of asbestos or asbestos-containing materials (ACM); notices of PCB waste generation; and coordination with Local Emergency Planning Committee as applicable.

(12) Report releases to the appropriate regulator as required.

(13) Coordinate internal release reporting and other emergency events with GSA's Office of Mission Assurance incident reporting system, and regional safety and environmental staff. Notify the Office of Facilities management's Facility Risk Management Division within two (2) hours of discovery of releases that exceed the reportable quantity established by the regulator. Notify the Office of Facilities management's Facility Risk Management Division of any incident(s) of non-compliance cited by a regulator.

b. GSA Tenants Shall.

(1) In accordance with the authority listed herein, comply with all applicable regulations for the proper management (e.g., Generator identification Number, packaging, labeling, characterization, transportation, and disposal, etc.) of regulated wastes as defined herein.

(2) Obtain, maintain, and provide upon request relevant documentation related to regulated waste management (i.e. training completion, hazardous waste identification number, etc.).

(3) Comply with GSA internal release reporting and emergency response requirements.

9. Point of Contact. Director, Facility Risk Management Division, Office of Facilities Management.

10. Attachments:

- Appendix A – “Regulated Waste Management Desk Guide”

- Appendix B – “Acronyms and Definitions”

11. Signature.

/S/ _____
DANIEL W. MATHEWS
Commissioner
Public Buildings Service

Appendix A: Regulated Waste Management Desk Guide

Appendix B: Acronyms and Definitions

1. Accumulation. The storage of hazardous waste that is either 1) at or near the point of generation and which is under the control of the operator of the process generating the waste, or 2) in a central accumulation area. Generator accumulation is subject to waste volume, type and time limits presented in 40 CFR Part 262.
2. Approved Facility. A facility authorized via permit, license, or registration with the EPA or a State to receive a specific category or class of regulated waste. Examples of Approved Facilities include RCRA permitted and compliant hazardous waste treatment, storage, or disposal facilities (Designated Facility); facilities that treat, dispose, or recycle a particular category of universal waste, used oil or PCBs; and municipal hazardous waste landfills.
3. Code of Federal Regulations (CFR). The codification of rules and regulations published in the *Federal Register*.
4. Disposal. Shall mean the final disposition (treatment, neutralization, recycling, etc.) of any regulated waste. Lawful disposal must be accomplished in strict adherence with all regulatory governing standards including 40 CFR 262. Unlawful disposal may include dumping, spilling, and leaking of any regulated waste at a location other than an Approved Facility.
5. EPA Hazardous Waste Identification Number (ID Number). A unique number assigned by EPA or an Authorized State to identify hazardous waste activities. The numbers are issued to certain regulated waste generators, transporters, and treatment, storage, or disposal facilities. The criterion for issuance of an ID Number varies by activity, and may not be applicable to all regulated waste generators.
6. Generator. Any person, by site, whose actions or process produces regulated waste as defined herein; or a person whose act first causes a regulated waste to become subject to special waste handling governing standards.
7. Hazardous Materials. For the purpose of this Order, shall be defined as any item that is required to have a Safety Data Sheet or is regulated by the DOT (e.g., oil, fuel, hazardous waste).
8. Hazardous Waste (HW). Any solid waste as defined in 40 CFR 261.2 which is not excluded from regulation under 40 CFR 261.4(b), and (1) is listed as a hazardous waste on one of four lists found in 40 CFR Part 261.33; and/or (2) exhibits any of the following characteristics: toxicity, ignitability, reactivity, or corrosivity, or (3) is otherwise a hazardous waste as defined in 40 CFR 261.3.

9. Large Quantity Generator (LQG). A generator who generates any of the following in a calendar month: 2,200 pounds (1,000 kg) or more of non-acute hazardous waste; more than 2.2 pounds (1 kg) of acutely hazardous waste; or greater than 220 pounds (100 kg) of any residue, or contaminated soil or water resulting of a spill of acute HW.
10. Owner/Operator. As used herein, the term “owner” refers to the Federal agency that funds the operation that caused the generation of a regulated waste. The term “operator” refers generically to any Federal agency employee(s) or contractor assigned the responsibility for the management and proper disposal of regulated waste. These roles should be defined in the applicable Occupancy Agreement or use agreement.
11. Regulated Wastes. For the purpose of this Order and associated desk guide, regulated wastes shall mean hazardous wastes, commercial chemicals, and used oil as defined by RCRA; listed and unlisted elements and compounds and hazardous wastes appearing in the table in 40 CFR Part 302.4; used personal-use sharps; batteries; Ozone Depleting Substances (ODS); asbestos or ACM wastes, PCB wastes and lead-based paint subject to the waste management requirements of the CAA or TSCA; and jurisdictionally-regulated wastes.
12. Regulator. The government agency that has authority to implement or regulate any aspect of regulated waste programs. These agencies may include the Department of Labor - Occupational Safety and Health Administration (OSHA), EPA, an authorized state, or local agency.
13. Small Quantity Generator (SQG). A generator who based on their waste determination generates any combination of the following amounts in a month: (1) greater than 220 pounds (100 kg), but less than 2,200 pounds (1,000 kg) of non-acute hazardous waste; (2) less than or equal to 2.2 pounds (1 kg) acute waste; (3) less than or equal to 220 pounds (100 kg) of any residue, or contaminated soil or water resulting of a spill of acute HW.
14. Spill. Any unplanned release of a hazardous substance (hazardous material or regulated waste) into the environment. The term is used interchangeably with “release” and includes but is not limited to suspected releases, and confirmed releases.
15. State. Any of the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.
16. Storage. The holding of regulated waste for a temporary period, at the end of which the waste is recycled, treated, disposed of, or stored elsewhere. The terms under which storage is regulated varies by site based on waste activities and type of wastes.

17. Transporter. A person engaged in the offsite transportation of regulated waste by air, rail, highway, or water.
18. Treatment. Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste to neutralize such waste, or to recover energy or material resources from the waste, or to render such waste non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.
19. Used Oil. Any oil that has been refined from crude oil, or any synthetic oil, that has been used and, because of such use, is contaminated by physical or chemical impurities. Used oil includes, but is not limited to, used motor oil, gear oil, greases, machine cutting and coolant oils, hydraulic fluids, brake fluids, electrical insulation oils, heat transfer oils, and refrigeration oils. Used oil is not a federally regulated hazardous waste when managed in accordance with 40 CFR 279. However, some States may classify used oil as hazardous waste. In these cases, the more stringent regulations apply.
20. Universal Wastes (UWs). Hazardous wastes that are subject to streamlined management standards when managed in accordance with the requirements of 40 CFR 273. Federally designated UWs include batteries, pesticides, mercury-containing equipment, and lamps. Authorized States may classify additional wastes as UWs.
21. Very Small Quantity Generator (VSQG). A generator who generates less than or equal to any combination of the following amounts in a calendar month: (1) 220 pounds (100 kg) non-acute HW; (2) 2.2 pounds (1 kg) acute waste; (3) 220 pounds (100 kg) of any residue, or contaminated soil or water resulting of a spill of acute HW.

Appendix A: Regulated Waste Management Desk Guide



**Public Buildings Service
Regulated Waste Management
Desk Guide
Companion to
PBS Order PBS 1095.9**

**Office of Facilities Management
Facility Risk Management Division
June 2019**

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1. INTRODUCTION

This Desk Guide provides supplemental information to the requirements included in GSA's Regulated Waste Policy (PBS Order 1095.9, hereafter referred to as the "Policy") and highlights some key elements for classifying and managing regulated wastes at GSA properties. This procedural guide shall be used in conjunction with the Policy and all applicable laws and regulations. This document does not contain a comprehensive listing of all Federal, State, and local regulatory requirements. Users shall refer to applicable Federal, State, and local requirements.

To some degree, all waste is regulated. While the regulatory requirements vary, wastes are generally classified as non-hazardous and hazardous based on their potential to harm humans or the environment. This Desk Guide addresses wastes most commonly generated at GSA properties and regulated by the Resource Conservation and Recovery Act (RCRA), the Toxic Substance Control Act (TSCA), and the Clean Air Act (CAA), with a cursory discussion of regulated medical waste. GSA and tenant agency activities that commonly generate regulated waste include, but are not limited to:

- ✓ Firing ranges;
- ✓ Laboratories;
- ✓ Vehicle maintenance;
- ✓ Renovations and repairs;
- ✓ General building operations and maintenance (O&M) activities; and,
- ✓ Environmental Site Characterization and Remediation.

2. AUTHORITY

The Solid Waste Disposal Act as amended by RCRA establishes the framework for both RCRA hazardous and non-hazardous wastes. RCRA outlines a comprehensive program to ensure that hazardous waste (HW) is managed safely from the moment it is generated to final disposal – from cradle to grave. RCRA regulations also include requirements for universal waste and used oil management.

TSCA establishes requirements for waste polychlorinated biphenyls (PCBs), asbestos, and wastes contaminated with or containing these materials. Removal, handling, packaging, transport, and disposal of asbestos and asbestos-containing material (ACM) are also subject to specific emissions standards and notification requirements established pursuant to the CAA.

The disposal of regulated medical waste, as defined in section 14, is not regulated by any Federal regulatory authority but rather is regulated by state environmental protection agencies and/or health departments. Therefore, collection and management of used medical sharps generated at health units in GSA controlled spaces shall comply with all required standards

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governing their industry.

3. APPLICABILITY

The procedures outlined in this Desk Guide apply to all facilities under GSA's jurisdiction, custody or control, including all leased space where GSA has control over waste management activities, and buildings delegated to other Federal agencies by the Administrator of General Services. This Desk Guide is not applicable to leases where the lessor is responsible for waste disposal, nor regulated waste activities associated with property excessed through the PBS Office of Real Property Utilization and Disposal. Where a waiver of federal sovereign immunity exists, Federal agencies must comply with all Federal, State, and local environmental laws governing waste management even if state and local requirements are more stringent. Where the laws and regulations differ from GSA Policy, the more stringent requirements shall apply. Regional staff must be familiar with and implement all applicable requirements.

4. IMPLEMENTATION AND FUNDING

The Policy and companion Desk Guide are effective upon signature. Unless otherwise specified in an occupancy agreement, tenant-generated regulated wastes at GSA-controlled sites is the responsibility of the tenant and shall be managed according to all Federal, State, and local laws and all GSA policies.

5. ROLES AND RESPONSIBILITIES

The agency (or agencies) that manage the regulated activity is generally responsible for ensuring compliance with applicable environmental regulations. The roles and responsibilities for ensuring compliance with waste management laws and regulations can be held solely or jointly by GSA, tenant agencies, and/or contractors. To the extent practicable, roles and responsibilities for environmental compliance should be spelled out in occupancy agreements or contracts as appropriate. Table 1 highlights some of the key functions necessary to ensure compliance with federal regulated waste requirements. While many of the operational functions are performed by contractors (custodial, operations and maintenance, or others), it is GSA's responsibility to ensure that regulated waste activities are compliant. Roles and responsibilities presented in Table 1 are provided as a guide only and are not intended to mandate how responsibilities should be delegated within the Regions.

Because state and local regulations can be, and often are, more stringent than federal requirements, Regional staff must identify all requirements applicable to their facilities. Additionally, regulations may also vary *within* the state if regulatory authority is further divided by jurisdiction. An example of this can be found in Nevada, where Southern Nevada (including Las Vegas) and Reno are governed by environmental programs established by their respective Health Districts; and the rest of the State is governed by the Nevada Department of

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Environmental Protection, which has a different set of regulations. To ensure compliance, facilities must be aware of varying local rules and regulations.

Table 1: Recommended Regulated Waste Management Roles & Responsibilities

Role	Responsibilities
<p>Office of Facilities Management (OFM) – Central Office</p>	<ul style="list-style-type: none"> • Develop and issue waste management policy, guidance, and identify training requirements • Provide access to current federal regulatory requirements, including any updates
<p>Regional Office of Mission Assurance (OMA)</p>	<ul style="list-style-type: none"> • Develop internal reporting procedures for emergency notifications • Coordinate internal release reporting with Building Operators, Facility Management Community, and/or Client Agencies/Operators • Record and disseminate reported incident data
<p>Regional Leadership</p>	<ul style="list-style-type: none"> • Ensure GSA’s Regulated Waste policy is implemented appropriately • Promote compliance with Federal, State, and local regulated waste requirements through planning, budgeting, management decisions, and policy development
<p>Regional Environmental, Health, and Safety (EHS) Managers</p>	<ul style="list-style-type: none"> • Provide technical support to Building Operations and the Facility Management Community in determining compliance status, and notification and reporting requirements • Maintain knowledge of Region-wide activities within the regulated waste programs • Provide guidance to Facility Managers in determining the type and amount of regulated waste generated at the facility • Assist Facility Managers in determining the need to obtain EPA identification (ID) numbers • Assist Facility Managers in providing notification of and reporting regulated waste activities (e.g., annual/biennial report) for each facility • Support Facility Managers and waste generators in identifying specific state and local requirements for regulated waste accumulation, shipment, and disposal • Assist waste generators with exception reporting • Assess reported regulated waste releases at GSA properties for potential environmental liability and report releases to Central Office EHS Managers

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Role	Responsibilities
<p style="text-align: center;">Waste Generators (e.g., GSA Occupants, Tenant Agencies)</p>	<p>Note: Tenants and Contractors shall consult with their respective EHS Professionals for guidance and assistance.</p> <ul style="list-style-type: none"> • Comply with the GSA Regulated Waste Policy (PBS Order 1095.9) and manage wastes in accordance with (IAW) all applicable requirements • Coordinate with Regional EHS Managers to determine the type and amount of regulated waste generated at the facility • Coordinate with Regional EHS Managers in determining the need to obtain an EPA ID number • Coordinate with Regional EHS Managers to report regulated activities (e.g., annual/biennial report) and submit required notifications • Coordinate with Regional EHS Managers to identify specific state and local requirements for regulated waste accumulation and disposal • Ensure wastes are labeled properly and comply with accumulation time and quantity limits • Perform pre-transportation functions. • Prepare and sign regulated waste manifests prior to off-site shipments to authorized disposal facility and maintain copies of completed manifests (per local/contract protocol). • Notify GSA Building Manager and Regional EHS Managers of any current or potential activity involving regulated waste management • Coordinate internal release reporting with Regional OMA • Clean-up any regulated waste releases as soon as practicable and make notifications IAW local release reporting requirements • Notify the GSA Facility Manager of actual or suspected regulated waste releases • Ensure that contracts and work performed by contractors complies with GSA’s Regulated Waste Policy and regulatory requirements

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Role	Responsibilities
<p>Building Operations & Facility Management Personnel/CORs</p>	<ul style="list-style-type: none"> • Provide oversight to ensure that PBS facilities, client agencies, and other tenants manage, manifest, and dispose of regulated wastes appropriately (e.g., periodically inspect the management and accumulation of regulated wastes activities for compliance with applicable provisions of RCRA, TSCA, and CAA, as they pertain to waste management) • Monitor contractor performance for compliance with this policy and terms of contract • Establish internal reporting procedures for emergency notifications • Perform pre-transportation functions (i.e. classification of the waste, packaging, marking & labeling for shipment offsite, etc.). • Sign regulated waste manifests prior to off-site shipments to authorized disposal facility and maintain copies of completed manifests (per local/contract protocol) • Notify the GSA Regional EHS Manager of actual or suspected regulated waste releases • Plan and program for routine waste management activities • Request funds for corrective actions
<p>Contractors</p>	<ul style="list-style-type: none"> • Perform tasks IAW terms of contract and to ensure compliance with GSA policy and regulatory requirements • Establish/coordinate internal reporting procedures for emergency notifications and coordinate internal release reporting with Building Operators, Facility Management Community, and/or Client Agencies/Operators • Record and disseminate reported incident data • Ensure personnel are properly trained and provide evidence of training on request • Perform pre-transportation functions. • Sign regulated waste manifests prior to off-site shipments to authorized disposal facility and maintain copies of completed manifests (per contract protocol) • Maintain waste handling and shipping records and make available to GSA and regulators on request

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6. CONTRACTING FOR REGULATED WASTE MANAGEMENT SERVICES

Waste management services are routinely performed by contractors, and these services include collection and disposal of non-hazardous wastes; identification, management, and disposal of RCRA hazardous waste, used oil, and universal wastes; site cleanup and disposal of PCB wastes; and removal and disposal of asbestos and ACMs. Contract scopes and all associated deliverables must reflect the requirements included in GSA's Regulated Waste Management Policy, as well as require compliance with all Federal, State, and local regulations.

Although contracts for waste management services specify that contract staff must have proper qualifications and certifications to perform work in compliance with all regulatory requirements, GSA's liability does not necessarily transfer to the contractor. Even if a contractor performs the work, GSA can still be held liable. Therefore, GSA Facility Managers/CORs must provide proper oversight of contractors to ensure compliance with the GSA Policy and other applicable requirements. To ensure that contract personnel are trained to the appropriate level of competency, Regions shall ensure that contracts include clear wording that identifies all deliverables to include but not limited to producing evidence of current training records and waste management documents.

NOTE

When signing a uniform hazardous waste manifest, generators simultaneously certify that based on their generator category they have considered waste minimization strategies. (See [40 CFR 262.27](#))

Contracting for RCRA hazardous waste management services establishes a co-generator scenario where the EPA considers both GSA and the contractor generators of the waste. In these cases, it is imperative that a lead generator be established for the record. This must be accomplished by including the following or similar language in the SOW/Contract:

“As co-generators, the Contractor and Government mutually agree that the Contractor shall perform generator duties on behalf of all. Generator tasks may include but are not limited to hazardous waste generation, handling, accumulation, shipment and/or disposal to include exception reporting as required.”

For those contracts executed prior to issuance of this policy, Regions must establish a separate formal agreement with the contractor whereby the full intent of “lead” is established and agreed on.

7. REGULATED WASTE MANAGEMENT AT LEASED PROPERTIES

GSA's Policy requires that lessors comply with all applicable Federal, State, and local jurisdictions' regulated waste management requirements. Regional GSA staff shall conduct document reviews of lease language to ensure compliance with these regulatory requirements. Lease language may not be specific to regulated wastes, but it must clearly state that operations will be conducted in compliance with all appropriate environmental regulations.

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8. WASTE REDUCTION, IDENTIFICATION, AND GENERATION

A. Waste Minimization and Utilizing the Green Procurement Policy

Wherever possible, hazardous waste generators should take steps to reduce the quantity and/or toxicity of hazardous waste generated at their facility. Examples of waste minimization activities include:

- Substituting traditional chlorinated solvents with non-hazardous water-based detergents to reduce the toxicity of wastes generated at a given facility and make operations more environmentally and worker friendly
- Reusing scrap material, implementing “closed loop” processes, and recovering spent solvents to reduce the need for virgin raw materials and significantly reduce the volume of hazardous wastes generated at a given facility
- Improving quality control procedures and helping facilities reduce the quantity of off-specification products (e.g., paint, chemical products) that may need to be disposed of as hazardous waste.

The PBS Key Sustainable Products Initiative, PBS Order 1096.1, issues environmental requirements for products that GSA and its contracts purchase frequently. The Key Sustainable Products standards are mandatory for all contracts for (a) supplies and (b) services and construction performed on GSA owned property, even if funded by a customer agency. Additionally, state and local regulations may require facilities to develop and maintain a waste minimization plan.

B. Waste Identification

Wastes are categorized by EPA or other regulatory agencies based on the physical or chemical properties and source of generation. Federal regulations require waste generators to determine under which of these categories their waste will be managed. Generators may use one or a combination of ways to make this determination, including but not limited to comparison to specific lists, wastes properties or characteristics, product composition / process knowledge, and laboratory analysis. A general waste identification decision chart is located in

Figure 1. For waste-specific characterization steps, refer to the respective regulations. Wastes generated in GSA facilities will generally fall into one of the following groups:

- **Resource Conservation and Recovery Act (RCRA) Hazardous Wastes.** Wastes that are regulated by RCRA ([40 CFR Part 260-273](#)) are commonly referred to as EPA and/or RCRA hazardous wastes. RCRA regulations require that any person, who produces or generates a waste, must determine if that waste is a RCRA hazardous waste ([40 CFR 262.11](#)). The formal hazardous waste identification process involves several steps discussed further in Section 9 RCRA Hazardous Waste of this Desk

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Guide.

- **Non-RCRA Regulated Wastes.** Wastes that are not subject to the management requirements of RCRA hazardous wastes but are regulated by other federal or state regulations. For the purpose of the GSA Regulated Waste Policy, this category of wastes includes used regulated medical wastes sharps and other waste such as but not limited to PCBs, asbestos/ACM, and ozone depleting substances (ODS).
- **Municipal Solid Waste and Personal Property.** Wastes that are not RCRA hazardous waste, TSCA or CAA regulated waste, or waste deemed hazardous by other governing regulations are considered municipal solid waste and/or personal property. These wastes include non-hazardous household waste, commercial solid waste, sludge, and industrial solid waste. These wastes shall be managed (recycled, excessed, disposed, etc.) IAW all applicable GSA policies and Federal, State, local, and municipal regulations and laws.

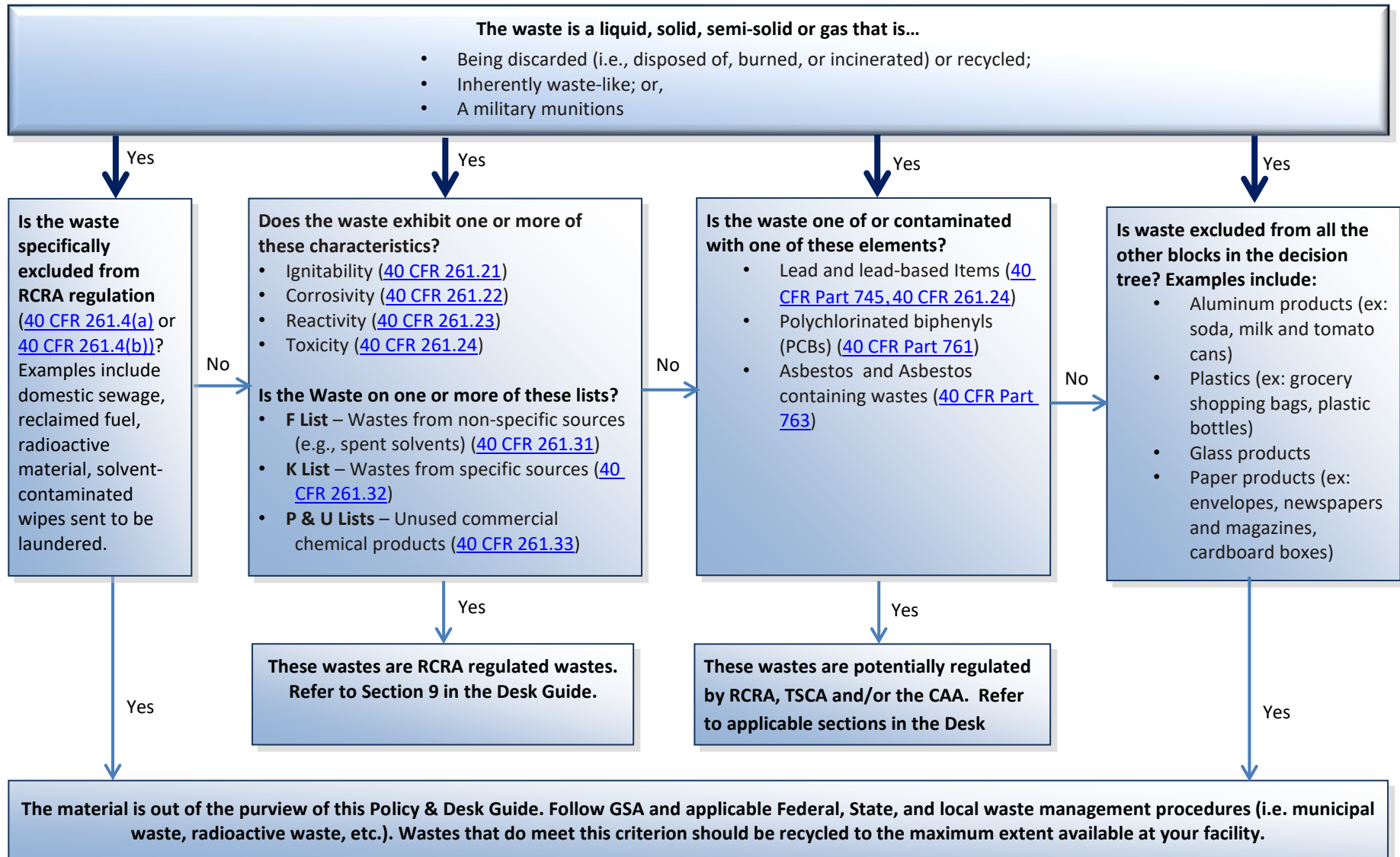


Figure 1: Waste Categorization Decision Tree

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C. Waste Generators/ Co-Generators

Generators must ensure compliance with all applicable Federal, State, and local waste management rules, regulations, and ordinances. Generators shall properly characterize (identify) waste that they generate, collect, store (accumulate), manage, and dispose of. Generators shall also accumulate/consolidate waste in an area/container designated for the specific waste.

A generator can be a singular or shared role and is technically defined as any person or entity whose act or process produces regulated waste or whose act first causes a waste to become subject to special waste handling requirements (i.e., RCRA, TSCA, CAA, etc.). Within the regulated community, the term generator is also often used when referring to persons or organizations that generate universal waste.

Co-Generators

In a multi-tenant/occupant situation whereby RCRA regulated waste is generated and the waste is managed (generated, shipped, etc.) by other than the entity whose act or process produced the waste, EPA considers all parties involved with the handling of the waste to be co-generators, and a lead generator should be formally established (see Section 6: Contracting for Regulated Waste Management Services). In a co-generator scenario, GSA may delegate signature authority to the O&M or other contractor through a mutually-agreed lead generator arrangement. However, this agreement does not relieve GSA of its waste generator responsibilities.

EXAMPLE OF CO-GENERATION

If Agency X generated hazardous waste in a GSA facility and GSA, on behalf of Agency X (the generator), arranged for the O&M contractor to remove or ship the waste off-site, EPA would consider Agency X, GSA, and the contractor all to be generators (i.e. co-generators).

9. RCRA HAZARDOUS WASTE

A. Scope of RCRA Hazardous Waste at GSA Properties

Potentially hazardous wastes (HW) commonly generated at GSA properties include but are not limited to waste fuels, spent solvents, old/opened/expired chemicals, and universal wastes such as batteries and lamps.

B. RCRA Hazardous Waste Identification

Generators must properly classify and accumulate wastes prior to disposal or recycling. RCRA solid waste may include solids, semisolids, liquids, or contained gases that are not specifically excluded by regulation ([40 CFR 261.2\(a\)](#)). If the waste does not meet one of the exclusions, the

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generator must proceed with the hazardous waste identification process. Knowledge of the waste and the safety data sheet (SDS) can help in the identification process. Where waste characteristics are unknown, testing is required and must be accomplished using EPA-approved methods. While awaiting test results, waste shall be presumed hazardous and managed in accordance with Section 9 of this Desk Guide.

It is also important to note that wastes can be characterized as non-hazardous, but may still be regulated for management and disposal purposes at the federal, state, or local levels (e.g., used oil, solvents that are recycled). Waste identification generally includes the following considerations:

Is the waste identified on a RCRA hazardous waste list?

Compare the waste against the four lists of wastes ([40 CFR 261.31](#) through [261.33](#)). These wastes are generally from generic industrial processes (e.g., spent solvents generated during cleaning and parts washing), from specific industry sectors, or unused commercial chemical products (e.g., expired chemical formulations). If the waste is on one of the lists or waste meets the narrative description for a listed waste, it is considered a RCRA hazardous waste.

Each listed waste is assigned a waste code (e.g., F001 [halogenated solvents], F003 [non-halogenated solvents], P051 [endrin], etc.). Assigning the correct waste code is critical for waste management; to avoid mismanagement generators shall ensure that all waste codes are accurately assigned. It should be noted that any waste or material that is mixed with a listed hazardous waste must also be considered listed, regardless of its chemical composition.

Does the waste exhibit a hazardous waste characteristic?

RCRA regulations identify four hazardous characteristics: ignitability, corrosivity, reactivity, and toxicity ([40 CFR 261.21](#) through [261.24](#)).

Generators may apply acceptable user knowledge or conduct specific tests identified by EPA for detecting or demonstrating the presence or absence of each characteristic (40 CFR 262.11).

Does generator have acceptable knowledge of the waste?

Generator knowledge may include information from:

- the SDS;
- laboratory analysis results from the same

IS IT IGNITABLE or FLAMMABLE

General rule of thumb

- Ignitable wastes are **liquids** (e.g. paints and cleaners) that can readily catch fire and sustain combustion and have a flash point less than 140 degrees Fahrenheit. Certain compressed **gases and oxidizers** may also be ignitable.
- Flammable wastes are **solid or non-liquid** physical form (e.g., wood, paper) with a flash point between 100-140 degrees Fahrenheit and can readily catch fire and sustain combustion.

process waste stream; or,

- familiarity with the process that generated the waste.

When making a hazardous waste determination based on process knowledge, be sure to clearly and completely document the basis of the hazardous waste determination, especially when classifying the waste as non-hazardous.

There are no specific tests for characterizing waste that are hazardous for the characteristic of reactivity. Therefore, user-knowledge is the key to properly characterizing reactive waste.

Does the generator have a mixture of non-hazardous and hazardous waste?

If an otherwise non-hazardous waste is mixed with a characteristic hazardous waste, the resulting mixture is hazardous waste only if the mixture exhibits a RCRA

WARNING
It is illegal to dilute waste for the purpose of eliminating a characteristic.

characteristic. However, any non-hazardous waste that is mixed with a listed hazardous waste must also be considered listed, regardless of its characteristics or chemical composition.

Table 2: Sample Waste Characterization Guidance

Wastes Characteristic	Sample Waste Stream	Common Methods`	User Knowledge
Ignitability (Flashpoint less than 140 °F)	Used Solvent	Pensky-Martens Closed Cup Test	Characterization Information is generally found under the following sections of OSHA standard formatted SDSs: <ul style="list-style-type: none"> • Section 3: Composition/ Information on Ingredients; • Section 5: Fire-Fighting Measures, and • Section 9: Physical and Chemical Properties. Additional information: <ul style="list-style-type: none"> • The flash in point is usually
Reactivity 40 CFR 261.23 includes 8 different properties	Explosives	User Knowledge / Item Properties	
Toxicity	Filter from Indoor Firing Range (IFR)	Toxicity Characteristic Leaching Procedure (TCLP)	

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Corrosivity (aqueous solution with a pH of less than or equal to 2 or a pH greater than or equal to 12.5)	Battery acid	Waste pH	<p>listed on the SDS.</p> <ul style="list-style-type: none"> Knowledge of previous test results for the same waste stream.
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C. Generator Category

Hazardous waste generators are classified based on the amount of hazardous waste they generate in a calendar month and may change from month to month. Generators must determine which generator category applies to their activities. The three federal classifications are listed below; states may have a different classification system.

- Large quantity generators (LQGs);
- Small quantity generators (SQGs); and,
- Very small quantity generators (VSQGs) – formerly referred to as conditionally exempt small quantity generators.

The table below lists waste quantity limits and their associated federal generator categories ([40 CFR 262.13](#)).

Table 3: Generator Categories Based on Quantity of Hazardous Waste Generated in a Calendar Month

Quantity of acute hazardous waste generated in a calendar month	Quantity of non-acute hazardous waste generated in a calendar month	Quantity of residues from a cleanup of acute hazardous waste generated in a calendar month	Generator Category
>1 kilogram	Any amount	Any amount	Large Quantity Generator
Any amount	≥ 1,000 kilograms	Any amount	Large Quantity Generator
Any amount	Any amount	> 100 kilograms	Large Quantity Generator
≤ 1 kilogram	Between 100 and 1,000 kilograms	≤ 100 kilograms	Small Quantity Generator
≤ 1 kilogram	≤ 100 kilograms	≤ 100 kilograms	Very Small Quantity Generator
Conversion			
1 kilogram = 2.20462 pounds		Example: 1000 kg x 2.20462 = 2,205 lbs (round up)	

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i. Calculating Waste Quantity

A generator's category is based on the amount of hazardous waste generated each month, which may change from month to month. When calculating quantities accumulated, EPA requires generators to (1) follow the steps listed in [40 CFR 262.13](#) for making the generator category determination and (2) calculate acute and non-acute hazardous wastes separately.

The key steps for calculating generator category determinations are as follows:

- If you generate acute hazardous waste or non-acute hazardous waste (not both):
 - Count the total amount of hazardous waste generated in the calendar month; then,
 - subtract any amounts of waste exempt as described in paragraphs (c) and (d) of [40 CFR 262.13](#) (examples include, but are not limited to used oil, lead-acid batteries, episodic waste, universal waste, etc.); and,
 - Select the generator category based on the resulting quantity.
- If you generate both acute hazardous waste and non-acute hazardous waste:
 - Count separately the total amount of (1) acute hazardous waste and (2) the total amount of non-acute hazardous waste generated in the calendar month; then
 - subtract separately from each total any amounts of waste exempt from counting as described in paragraphs (c) and (d) of [40 CFR 262.13](#); then
 - determine separately the resulting generator categories for the quantities of acute and non-acute hazardous waste generated; and
 - select the more stringent category determination and apply the requirement for the category to both; for example, if your acute category is small and your non-acute category very small, then apply the requirements for small quantity generators.

NOTE

Acute hazardous wastes include all F-listed wastes ([40 CFR 261.31](#)) that are marked with the “H” hazard code and all P-listed wastes ([40 CFR 261.33](#)). All other hazardous wastes are considered non-acute hazardous wastes.

To help generators select the appropriate category, EPA uses the following general rule of thumb:



- One standard 55-gallon drum = 200 kilograms (or 440 pounds)
- One drum filled halfway = 100 kilograms (or 220 pounds)
- Five drums total = 1.000 kilograms (or 2.200 pounds)

ii. Episodic Events

EPA provides flexibility for increases in the quantity of hazardous waste generated in a calendar

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month due to “episodic events”. Episodic events are infrequent or one-time situations such as planned events like tank system cleanouts, renovations, or inventory reduction efforts or unplanned events related to spills or other unpredictable conditions.



In the event of an episodic increase, the RCRA regulations in [40 CFR Part 262, Subpart L](#), allow VSQGs and SQGs to maintain their usual generator category, if they comply with additional requirements that include, but are not limited to, notifying EPA, obtaining an EPA ID Number, and marking containers with “Episodic Hazardous Waste”, the associated hazard, and the date accumulation began.

This flexibility is available for one episodic event per year; but facilities may petition EPA to allow for a second event, if necessary ([40 CFR 262.233](#)).

NOTE

States can be more stringent than these Federal requirements for episodic events, which may result in the generator being required to comply with a stricter set of regulations for the affected months.

iii. State Requirements

Authorized states may define generator categories differently than the Federal Government; therefore, State regulations should be consulted for generator categories. It is the responsibility of GSA Regional staff to determine all requirements applicable to their facility and to calculate the total quantity of nonexempt hazardous waste generated in a calendar month to determine the appropriate category.

D. EPA Identification (ID) Number

EPA requires hazardous waste generators of more than 100 kilograms (220 pounds) of hazardous waste per month to obtain an EPA ID number before treating, storing, disposing, or offering waste for transport. State regulations may be more stringent. Transporters of hazardous wastes and used oil, and facilities receiving/treating hazardous wastes and certain recyclable items are also required to obtain an EPA ID Number. The ID number may be generator-specific (i.e., multiple ID numbers per site) or site-specific (i.e., one ID number for all generators within a site). ID numbers are assigned by either EPA or an authorized state and the determination on the issuance of multiple or single ID numbers per site rests solely at the discretion of the regulator.

WHAT IS A SITE?

A site includes large campuses with multiple buildings/tenants. If a campus is being used by multiple tenants, regulators may issue a single or multiple EPA ID numbers.

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Federal ID numbers are requested using EPA Form 8700-12, Notification of Regulated Waste Activity. States may have different requirements and Notification forms.

Key considerations for EPA ID numbers include:

- On EPA Form 8700-12, generators report basic facility information, anticipated hazardous waste generator classification, and expected waste activities (i.e., types of hazardous waste generated, transported, recycled, disposed and/or stored).
- EPA generally assigns one ID number per generation site. Requests for multiple ID numbers for one generation site is determined by the authorized state or EPA representative based on evidence of a way to separate the individual activities within the site (e.g. the entities' accounting practices require separate documentation). EPA's intent is to eliminate properties being subdivided to avoid regulation.
- A small quantity generator must re-notify EPA starting in September 1, 2021, and every four years thereafter for each year in which re-notifications are required.
- A large quantity generator must re-notify EPA by March 1 of each even-numbered year. A large quantity generator may submit this re-notification as part of its Biennial Report required under [40 CFR 262.41](#).
- Tenants will likely be in the best position to supply information related to their specific processes and wastes, but GSA remains liable for ensuring compliance.

The image shows the EPA Form 8700-12, titled 'RCRA SUBTITLE C SITE IDENTIFICATION FORM'. It includes the EPA logo and OMB number 2050-0024. The form is divided into several sections:

- 1. Reason for Submittal (Select only one):** Contains checkboxes for 'Obtaining or updating an EPA ID number for an on-going regulated activity that will continue for a period of time (includes RCRA activity)', 'Submitting as a component of the hazardous waste report for [Reporting Year]', 'Site was a TSD facility and/or generator of > 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 reporting year (or State equivalent USD regulations)', 'Nothing that regulated activity is no longer occurring at this site', 'Obtaining or updating an EPA ID number for conducting Electronic Manifest Broker activities', and 'Submitting a new or revised Part A Form'.
- 2. Site EPA ID Number:** A grid for entering the ID number.
- 3. Site Name:** A text input field.
- 4. Site Location Address:** Fields for Street Address, City, Town, or Village, County, State, Country, and Zip Code.
- 5. Site Mailing Address:** Similar fields to section 4, with a checkbox for 'Same as Location Address'.
- 6. Site Land Type:** Radio buttons for Private, County, District, Federal, Tribal, Municipal, State, and Other.
- 7. North American Industry Classification System (NAICS) Code(s) for the Site (at least 5-digit codes):** A table with columns for A. (Primary), B., C., and D.

Figure 2: EPA Form 8700-12, Notification of Regulated Waste Activity

The regulatory governing authority (states, boards, etc.) may interpret and apply conditions of how ID numbers are assigned. Under the Federal RCRA program, EPA ID numbers apply to the physical location instead of specific tenants or process operations; therefore, GSA will typically appear as the “owner” on notifications, even when the operator of a site is a different agency or tenant. Generally, GSA avoids "owning" any ID numbers; however, that is not always

CASE STUDY

California’s Department of Toxic Substances Control says that where multiple tenants operate as independent businesses in separate suites within the same building, each business must obtain their own ID Number. Each occupancy agreement should clearly outline roles and responsibilities for management of hazardous waste and complying with RCRA’s administrative requirements (including updating the notification forms). It may be best to set up an arrangement where tenants prepare required documentation and submit a copy of it to GSA for awareness purposes.

possible.

E. Requirements for RCRA Hazardous Wastes

Waste generators are responsible for managing hazardous waste IAW applicable Federal regulations in 40 CFR Parts [262](#), [265](#), and [273](#), as well as complying with State and local regulations. SQGs and LQGs must obtain an EPA ID number, follow hazardous waste accumulation quantity and time limits, and ensure that containers of hazardous wastes are properly stored and labeled.

Because GSA utilizes contractors to provide comprehensive waste management services, contractor oversight is critical for proper waste management. On-site personnel, such as Facility Managers, should:

- ✓ Monitor operations to ensure that contractors abide by applicable regulations and requirements in the Regulated Waste Policy and this Desk Guide;
- ✓ Remind contractors of their responsibilities in managing hazardous wastes while working on GSA property;
- ✓ Advise contractors of GSA waste management policies, procedures, or any unique conditions at the facility, where appropriate;
- ✓ Provide contractors with a GSA facility hazardous waste management plan, if one exists; and,
- ✓ Inspect hazardous waste accumulation areas at least once a week to ensure proper waste management by contractors.

i. Waste Accumulation

Under RCRA, collection and holding waste before shipping off-site is referred to as hazardous waste “accumulation” rather than “storage”; however, within the regulated community, the term is often used interchangeably with storage or holding. Hazardous waste may be generated and accumulated in multiple locations throughout a facility (at satellite accumulation and central accumulation areas). Areas designated for hazardous waste accumulation must be identified as such. The sign must be legible, unobstructed, and printed in English and any other applicable languages.

The quantity of hazardous waste and the length of time it may be accumulated on-site will vary based on the location and generator category ([40 CFR 262.14-17](#)).

a. Accumulation Limits

Table 3 illustrates the Federal accumulation

NOTE

Exceeding the accumulation time limits can subject GSA to enforcement actions. Monitor all hazardous waste accumulation to ensure that accumulation limits are not exceeded and request necessary extensions in a timely manner.

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times and quantity limits. These limits apply regardless of how and where in the facility the waste is generated and accumulated (i.e., satellite accumulation area, central accumulation area, single container, etc.). When unforeseen, temporary, and/or uncontrollable conditions (e.g., weather-related disruptions) cause a generator to exceed these limits, the GSA Regional EHS Manager should be notified immediately. If exceeding the accumulation time limits, small or large quantity generators must also contact the regulatory implementing agency (State or EPA) to request a 30-day extension (40 CFR [262.16\(d\)](#)/[262.17\(b\)](#)).

Table 4: Accumulation Time and Quantity Limits

Generator	Allowable Accumulation Time	Allowable Quantity Limit
Large Quantity Generator	≤ 90 days on-site	No limit, but permit is required
Small Quantity Generator	≤ 180 days on-site, or ≤ 270 days if the waste must be shipped 200 miles or more for treatment, storage, and/or disposal	6,000 kilograms (equivalent to 13,200 pounds or roughly 30 drums)
Very Small Quantity Generator	N/A	1,000 kilograms (equivalent to 2,200 pounds or roughly 5 drums)

Generator accumulation quantity limits may also be unexpectedly exceeded, including episodic generation (see Section 9(c)(ii) above). In states where episodic generation provisions are not adopted, episodic generation of hazardous wastes can move a VSQG or SQG into a higher generator category (i.e., SQG or LQG). The generator would then be required to comply with a stricter set of regulations for the affected months.

b. Container Management

The US Department of Transportation (DOT) sets size and material requirements for containers used to ship hazardous waste. EPA requirements focus on on-site management of waste in containers (40 CFR [262.16\(b\)\(2\)](#)/[262.17\(a\)\(1\)](#)). State and local requirements may also apply.

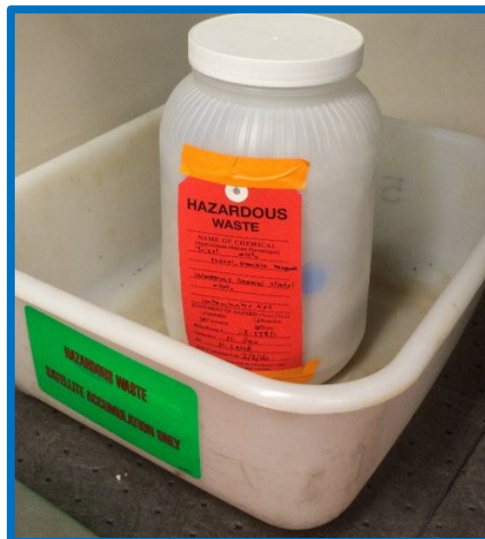
While other types of units may be used for accumulating larger quantities of hazardous waste, the most common containers used for accumulating and transporting hazardous waste generated at GSA facilities are:

- 55-gallon steel drums
- 30- or 15-gallon polyethylene drums
- Small buckets with lids

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The general standards for containers at GSA facilities include, but are not limited to:

- Meet DOT, EPA, and local requirements;
- Are compatible with the waste being accumulated;
- Are closed when not adding or removing waste;
- Are in good condition (i.e., free of rust, punctures and leaks) and all valves, bungs, caps, bolts, and other closure devices are securely in place and visible;
- Are stored to prevent the release of content if the container were to be knocked over;
- Must not be overfilled; and,
- Are provided with secondary containment where warranted based on the likelihood of a release occurring and entering into the environment, and as required by the regulatory implementing authority.



Secondary Containment in an SAA.

c. Organization and Spacing (Adequate Aisle Space)

Containers shall be organized to allow for easy access and visibility in order to significantly speed up required inspections and allow first responders to easily identify waste contents in an emergency.

- Maintain organization and spacing to:
 - Allow for unhindered entry by inspectors, personnel, and drum moving equipment and unobstructed visibility of all required markings and labels/
 - Permit movement by a person and drum dolly (when dealing with 55-gallon drums) between containers or pallets.
 - Avoid storage of other items around, between, or on top of hazardous waste containers.
 - Limit palletizing to a maximum of four 55-gallon drums and stacking of pallets no more than two drums high, and shrink wrap smaller containers if stacked.



d. Compatibility

The waste container and lid must both be compatible with its contents. Examples of considerations when selecting a waste container include:

- Ensuring that acids are not placed in unlined metal containers or other containers that may corrode;
- Placing wastes in containers that are designed specifically for the waste's phase

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- (i.e., liquid, solid, gas, or combination);
- Reusing containers that previously held compatible waste or the same product (e.g., using an old 55-gallon drum in which paint was delivered to hold waste paint);
 - Inspecting previously used containers to ensure they are in sufficient condition for reuse (i.e., not leaking, damaged, or dented, and is compatible with previous contents);
 - Combining only compatible wastes in a single container;
 - Segregating containers holding incompatible waste or materials with a physical barrier; if space is limited, separation can be accomplished by placing incompatible wastes into areas with separate secondary containment systems; and,
 - Maintaining the required distance from the property boundary (e.g., 50 feet for LQGs).

HOW DO YOU IDENTIFY COMPATIBLE WASTES?

- Review the SDS
- Compare your wastes and raw materials to the list in [Appendix V to 40 CFR Part 265](#)
- Contact your Regional EHS Manager for assistance

e. Accumulation Areas

1) Satellite Accumulation Areas (SAAs)

SAAs are located at or near the point of generation and are under the control of the operator (of that process). The requirements for SAAs are specified in [40 CFR 262.15](#). Several containers may be present in the SAA to segregate different hazardous waste types. Any amount of waste in excess of the limits set forth below must be removed from the SAA within 72 hours. SAAs must comply with the following guidelines:

- Accumulation cannot exceed 55 gallons of non-acute hazardous waste and/or either one quart of liquid acute hazardous waste or one kilogram (2.2 pounds) of solid acute hazardous waste;
- Multiple employees who control the operation that generates the waste may add waste to the same SAA container, as long as those wastes are compatible; and,
- Containers in GSA SAAs must be marked with:
 - The words “hazardous waste” and the specific contents (example: Hazardous Waste – Used MEK)
 - The hazard(s) associated with the container’s contents or similar information required by other regulations or standards, as specified in [40 CFR 262.15\(a\)\(5\)\(ii\)](#)
 - The fill date - the date on which waste will cease to be added to that container (i.e., the container is full or the container is partially full, but the specific waste will no longer be generated), when the container is being transferred to the central accumulation area, or when any of the limits above are exceeded.

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2) Central Accumulation Areas (CAAs)

Accumulation areas located away from the immediate point of waste generation (SAA) may be positioned either indoors or outdoors, so long as properly protected. Generators may accumulate hazardous waste for 90 days (large quantity generators) or 180 days (small quantity generators), exceptions apply.

Requirements for CAAs include:

- Maintain organization and spacing (adequate aisle space)
- Manage containers IAW the appropriate general management requirements listed in the container management section. Detailed information for container management can be found at 40 CFR [262.16\(b\)\(2\)](#) or [262.17\(a\)\(1\)](#)
- In addition to the Federal and State container marking requirements, containers in GSA central accumulation areas must be marked with:
 - The words “hazardous waste” and the specific contents (example: Hazardous Waste – Used MEK)
 - Hazard(s) associated with the container’s contents
 - The accumulation start date - (1) the date on which waste was first placed in a container within the central accumulation area, (2) the fill date on any waste container that was previously used in an SAA and moved into the central accumulation area (by law, the fill date is the accumulation start date)



ii. Inspection

Weekly inspections shall be conducted and documented for all hazardous waste central accumulation areas and records maintained for the lifetime of the facility and readily available for inspection/review by regulators and GSA. Records can be maintained electronically or on-site in hard-copy. Persons conducting weekly inspections must be trained on how to conduct the inspections, conditions that would indicate the need for corrective action, and documentation procedures.

An example of an inspection log can be found in Exhibit 1: Weekly Inspection Log Example.

Weekly inspections must evaluate:

- Minimum requirements for the State criterion for periodic self-inspections;
- Container condition to ensure that it is in good condition, closed, and not leaking;
- Container marking – check for properly marked wording “hazardous waste”, the waste’s

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hazard(s), and the specific contents (example: Hazardous Waste – Used MEK);

- Indication of hazard(s) associated with the container’s contents;
- The accumulation start date or fill date (at central accumulation areas); and,
- Proper DOT shipping labels on containers being prepared for shipment.

iii. Closure

Closure requirements are applicable only to LQGs when hazardous waste generation activities cease and the waste accumulation units (SAA, central accumulation areas, tanks, etc.) and/or the building will be closed. Steps for closure include:

- Waste accumulation unit within a building
 - Within 30 days after closure of hazardous waste activities, generators must place documentation in their facility operating records showing the former location of the accumulation area(s).
 - Clean-close all units by removal of all hazardous wastes, waste residues, and environmental media, and decontamination of all equipment and structures. Units include container, tank, containment building, or drip pad.
 - Units that cannot be clean-closed must be closed as a landfill under RCRA. Seek immediate guidance from the Regional EHS Manager if you believe this may be required for your facility.
- Facility that previously housed waste accumulation unit(s)
 - Because facility closure will generally be part of the GSA disposal process and is handled separately than when dealing with O&M, it will not be covered in this Desk Guide.
 - Refer to [40 CFR 262.17\(a\)\(8\)\(ii\)-\(iii\)](#) for more information on closure.

F. Marking and Labeling

EPA requires that on-site HW accumulation containers be marked with the words “hazardous waste” and other words that describe the contents and associated hazards. EPA also requires that prior to transporting or offering the waste containers for transport that the containers be further “marked” with additional generator information and marked and labeled IAW US Department of Transportation regulation ([49 CFR Part 172](#)). To simplify these marking requirements, many companies have consolidated the information onto a single hazardous waste label (see Figure 3).

Containers can be marked using a permanent marker, paint, wax pen, label, or by any other means that clearly



Figure 3: Hazardous Waste Label Example

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identifies the container with the required wording and date. However, the preferred method is the use of hazardous waste labels.

i. EPA Container Marking Requirements

- (1) HAZARDOUS WASTE—Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency.
- (2) Generator's Name and Address _____.
- (3) Generator's EPA Identification Number _____.
- (4) Manifest Tracking Number _____.
- (5) EPA Hazardous Waste Number(s) _____.
- (6) Other markings IAW DOT [49 CFR Part 172](#).

REMINDER

Waste awaiting test results must be managed (including marking) as hazardous waste, pending results.

ii. DOT Container Marking Requirements

- (1) Must be durable, in English and printed on or affixed to the surface of a package or on a label, tag, or sign;
- (2) Must be displayed on a background of sharply contrasting color;
- (3) Must be unobscured by labels or attachments; and
- (4) Must be located away from any other marking (such as advertising) that could substantially reduce its effectiveness.

iii. DOT Container Labeling Requirements

In addition to program-specific (i.e., hazardous waste, asbestos, etc.) warnings, containers must also be labeled with labels specified for the material in the [49 CFR 172.101](#) Hazardous Materials Table ([49 CFR 172.400](#)). Examples of labels are available in Section 15 Transportation and Disposal.

These labels identify and communicate the DOT hazard class or division and are specified by the hazard class/division, label name, and the label design of the material/waste being transported.

G. Transportation and Disposal

Hazardous waste must be transported by licensed haulers to facilities approved by EPA to receive the waste being shipped. Shipments must be done using a Uniform Hazardous Waste Manifest. For additional information, refer to Section 16 Transportation and Disposal.

Land Disposal Restrictions

In addition to the hazardous waste manifest, generators are required to provide a one-time written notification that indicates whether or not the waste meets the land disposal restrictions

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(LDR) treatment standards established by EPA. The LDR informs the treatment, storage, and disposal facility (TSDF) personnel the waste's hazardous constituents and characteristics that must be treated before disposal. There is no standard form for this notification, although a TSDF will most likely provide their preferred form. The individual signing the manifest should also be trained to review the LDR notification and ensure that it is complete. The generator is only required to send an initial LDR notification to each TSDF for each waste stream. An updated LDR notice would be required if anything about the waste were to change or if a different TSDF is used.

EXPORTING HAZARDOUS WASTE

If your waste is exported and the waste must meet LDR treatment standards, then it must comply with LDR notification requirements during the entire period that the waste is in the US.

H. Administrative and Recordkeeping Requirements

i. Biennial Hazardous Waste Reporting

Federal regulations require LQGs to submit a federal Biennial RCRA Hazardous Waste Report (Biennial Report) by March 1st of every even-numbered year. For example, LQGs must submit a report to EPA or the State implementing agency by March 1, 2020, for all hazardous waste activities conducted in calendar year 2019 and so on. The Biennial Report is composed of EPA Form 8700-13A/B, which can be found in Exhibit 2. SQGs are not required to submit federal biennial reports, but may be subject to State-specific reporting requirements. In addition, States may require LQGs (or SQGs) to submit reports annually instead of biennially.

ii. Emergency Preparedness and Planning

RCRA establishes emergency preparedness and planning requirements to ensure that generators and emergency responders can promptly, adequately, and safely address releases and other emergency situations.

- LQGs must prepare and maintain a contingency plan that meets all of the requirements of [40 CFR Part 262.260- 262.263](#).
- LQGs must develop a Quick Reference Guide for local emergency responders ([40 CFR 262.262\(b\)](#)).
- LQGs must periodically review and update contingency plans and Quick Reference Guides to reflect changes to the facility, applicable regulations, emergency equipment, or the emergency coordinator.
- LQGs and SQGs are required to have a designated emergency coordinator who can respond to an emergency within a short amount of time, generally 30 minutes to an hour.

iii. Spill Reporting and Response

When a release occurs, GSA designated personnel or representatives shall implement the site-specific spill response actions and initiate internal notification procedures. Releases include but

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are not limited to suspected releases, overfill, spill, leaking containers, and confirmed releases.

Internal Release Reporting

After initial spill response procedures have been deployed, on-site or field office personnel must notify GSA Regional EHS Managers of the release. GSA Regional EHS Managers must inform the GSA Central Office Facility Risk Management Division (FRMD) within 48 hours of discovery of all releases that require external reporting. Releases that do not have to be reported externally must also be reported to Central Office FRMD. Initial notification may be made via email or phone. Supporting documentation for all releases must be posted to the “Release Incident Reporting” page of the EHS Notices of Non-Compliance Google site or other location as designated by Office of Facilities Management. Additional notification shall be made to the Regional Office of Mission Assurance.

External Release Reporting

Federal, state and local authorities may have to be notified when a spill or release of a hazardous substance ([40 CFR 302.6](#)) or extremely hazardous substance ([40 CFR 355.30](#)) meets or exceeds the reportable quantity established by the regulator. Reportable spills are based on the substance, amount (Reportable Quantity), location, and media contaminated or potentially contaminated by the waste. For releases of an extremely hazardous substance over the threshold planning quantity, the state emergency response commission (SERC), local emergency planning committee (LEPC), and local fire department should also be notified.

Federal regulations require that certain spills or releases of hazardous waste be reported immediately to the National Response Center (NRC). The NRC requires information about what, where, when, and why the incident happened and the name, address, and phone number of the person who is reporting the incident. The NRC will evaluate the situation and help the caller make appropriate emergency decisions.

REPORTING SPILLS

Outside reporting of these spills should be reported in accordance with GSA Regional protocol.

National Response Center:
1-800-424-8802

Many States have additional call centers that should be notified in case of a spill or release. Any site-specific spill response plans should be implemented as soon as possible following identification of an accidental release.

iv. Training

Any person responsible for the management of hazardous waste, used oil, universal waste, or preparing/signing hazardous waste manifests must be trained prior to initiating work at GSA properties. It is critical that employees with hazardous waste management duties are trained

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on site-specific hazardous waste management activities, emergency response procedures, and applicable contingency plans. Both government and contract personnel must complete and document initial and refresher training as required by EPA, DOT, authorized states, and/or local implementing regulatory agencies.

a. Frequency

Frequency of training may vary by topics covered and may be one time, recurring, or ongoing. Training may be completed in one session or be spread out throughout the year with multiple sessions (i.e., some of the information may be provided in weekly health and safety meetings).

- Training must take place within six months of hire or assignment of hazardous waste duties.
- LQGs are required to repeat the training at least annually to ensure that employees are familiar with all current laws, policies, and procedures.
- Although not required by Federal regulation, GSA requires SQGs to conduct and document annual training as to minimize the potential for violations and emergencies.

b. Documentation

Training records on current government and contract personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility.

LQGs must document all of the following for their training programs:

- Job title for each position related to hazardous waste management and the name of the person(s) filling that job;
- A written job description that includes the requisite skills, education, or other qualifications and duties;
- A written description of the type and amount of both introductory and continuing training that will be given to each person responsible for hazardous waste duties; and,
- Documentation of the date and type of training provided to each employee.

SQGs only need to document RCRA training by recording the name of the person(s) trained, date of the training, and a description of the training provided.

v. Recordkeeping

Records are a vital part of any hazardous waste management program. All appropriate hazardous waste records must be maintained and readily available for review.

Records that are required under RCRA are outlined in the chart below. These are the minimum Federal requirements; State or local regulations may be more stringent. Federal regulations require that RCRA records be maintained on-site for a minimum of three years, but it is GSA Policy (as outlined in this Desk Guide) to maintain hazardous waste management documents for the lifetime of the facility.

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Note: In the case of facility decommissioning, records for the last off-site shipment of waste shall be maintained for a minimum of three years.

Table 5: Hazardous Waste Recordkeeping Requirements and Retention Timelines

Record	Federal Retention Requirement	GSA Policy Requirement
Signed manifests	Three years	Life of the facility
Biennial Reports	Three years from the due date of the report	Life of the facility
Exception Reports	Three years from the due date of the report	Life of the facility
Test results, waste analyses, or other investigation results	Three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.	Life of the facility

Unless specifically required by the regulator, paper records do not need to be maintained; the record must simply be readily available and accessible for review. Records shall be maintained in the National Computerized Maintenance Management System (NCMMS). Records held at the facility should include, at a minimum:

- 1) Hazardous Waste List – a comprehensive list of all hazardous wastes generated at the site;
- 2) Manifests and Other Shipping Documents – hazardous waste manifests and copies of all used oil and universal waste Bills of Lading or other shipping documents must be maintained for the life of the facility;
- 3) Training Records – all training records related to hazardous waste management for active employees including initial hazardous waste management training records;
- 4) Waste Characterizations/Determinations – a copy of any document used to determine whether or not a waste is hazardous, this may include the SDS, laboratory analytical reports, chemical profiles, or any other documents that support the decision; and,
- 5) Weekly Inspection Records – weekly inspection logs (hard copy or electronic versions) of all generator accumulation areas must be maintained on-site (an example of a weekly inspection checklist can be found in Exhibit 1).

TIP

To ensure hazardous waste records are readily available and accessible, consider creating an “Environmental Compliance” folder for your building on a Regional shared drive.

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10. UNIVERSAL WASTE MANAGEMENT

A. Scope of Universal Wastes at GSA Properties

The Federal regulations ([40 CFR Part 273](#)) that govern universal wastes (UW) provide alternate, less stringent requirements than the requirements for management of other, traditional RCRA hazardous wastes under [40 CFR 260 - 272](#). Authorized states may expand the list of wastes in their state-specific universal waste programs; conversely, authorized states are not required to adopt the Federal universal waste program.

Federal regulations outline the requirements for the two categories of UW generators (small quantity handlers of universal waste [SQHUW], large quantity handlers of universal waste [LQHUW]), universal waste transporters, and universal waste destination facilities. It is anticipated that GSA properties will only be classified as handlers of universal waste; thus, requirements for universal waste transporters and destination facilities are not addressed further in this Desk Guide. The regulatory term for a person or organization that generates, transports, or otherwise manages universal waste is “handler”. Within the regulated community, the term handler is used interchangeably with “generator”.

Federal regulations allow very small quantity generators of HW, who are also generators of UW, the option of managing UW either under the full HW regulations or under the Universal Waste Rule (UWR). To qualify for this exemption, generators must strictly adhere to all applicable conditions. UW managed under the more stringent HW rules will result in changing the regular HW generator category from VSQG to either SQG or LQG. GSA's Policy is that all UW shall be managed IAW with Part 273 (UWR).

B. Universal Waste Identification

Federally regulated UW currently include certain batteries ([40 CFR 273.2](#)), certain pesticides (i.e., banned or recalled pesticide waste stock, unused pesticides managed as part of a waste pesticide collection program) ([40 CFR 273.3](#)), mercury-containing equipment ([40 CFR 273.4](#)), and hazardous waste lamps (used and unused) ([40 CFR 273.5](#)). Some authorized states have expanded their lists to include wastes such as paint wastes, antifreeze, waste pharmaceuticals, electronics, and aerosol cans.

GSA client agencies and tenants should check with their State regulator to determine whether additional hazardous wastes may be managed through the universal waste program.

C. Generator Category

There are only two categories of UW generators, small quantity handlers (SQHUW) and large quantity handlers of universal waste (LQHUW). Unlike RCRA hazardous waste determination, Federal handler/generator classification is determined annually and can be reevaluated at the

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start of each calendar year. Universal wastes quantities should not be counted when determining which hazardous waste generator category (SQG or LQG) applies to your facility in a given calendar month.

- I. SQHUWs accumulate less than 5,000 kilograms of universal waste (all categories combined) at the site at any one time.
- II. LQHUWs accumulate 5,000 kilograms or more of universal waste (all categories combined) at the site at any one time. Once a handler triggers the LQHUW status, that handler will remain a LQHUW for the rest of the calendar year.

D. EPA Identification (ID) Number

SQHUWs are not required to notify EPA of their universal management activities (i.e., apply for an EPA ID Number); however, LQHUWs must notify EPA and obtain an ID Number (if they do not already have one) before meeting or exceeding the 5,000 kilogram storage limit.

E. Requirements for Universal Wastes

The on-site area(s) designated to accumulate UW shall be clearly marked as such, in English and other predominant language(s) of personnel within the area of accumulation. Improperly managing universal waste IAW the UW regulations can result in fines and penalties under the more stringent RCRA hazardous waste program.

i. General Requirements for UW

Regulations in Part 273 for UW differ slightly depending on whether the facility is considered a SQHUW or LQHUW. Specific regulations for SQHUWs are found in Part 273 Subpart B, and those for LQHUWs are found in Part 273 Subpart C. In general, UW must be managed in a way to prevent releases to the environment. UW handlers are prohibited from disposing, diluting, or treating UW except under limited circumstances as described in the regulations. The minimum basic Federal and GSA requirements for all UW are:

- Conform to the holding times associated with the wastes generator category based on the amount of wastes generated at any one time at the facility;
- Ensure that waste and/or waste containers are properly marked and labeled;
- Mark the waste (items, devices) or containers holding wastes with the date that the waste accumulation first began;
- Store wastes to avoid releases (spills);
- Use structurally sound, compatible containers for collecting wastes;
- Keep containers closed;
- Determine if waste resulting from a release is RCRA hazardous waste;
- Maintain a mercury clean-up system in facilities where mercury-containing thermostats/equipment are accumulated;

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- Maintain a log/inventory of waste to demonstrate waste holding times;
- Adhere to GSA prohibition of bulb crusher usage on GSA properties;
- Comply with authorized states’ UW program requirements; and
- Maintain shipping documents IAW regulatory requirements.

ii. Storage/Accumulation Time and Quantity Limits and Requirements

Table 6 provides an overview of time and quantity accumulation limits for Federal LQHUW and SQHUW.

Table 6: Universal Waste Handler Overview

Requirement	Large Quantity Handler of Universal Wastes (LQHUW)	Small Quantity Handler of Universal Wastes (SQHUW)
Quantity limit for classification	≥ 5,000 kilograms on-site at any one time	< 5,000 kilograms on-site at any one time
Total on-site accumulation limit	None	< 5,000 kilograms
Storage time limit	1 year, unless earlier shipment is required for proper recovery, treatment, or disposal	1 year, unless more time is required to accumulate sufficient quantities to facilitate proper recovery, treatment, or disposal
EPA ID number	Required (May use existing ID Number)	Not required
Manifesting	Not required, but must maintain basic shipping records documenting shipment details IAW DOT requirements in 49 CFR 172.201 (i.e. quantiles, types, shipping destination, etc.).	Not required
Employee training	Training based on and geared toward employee UW responsibilities	Basic knowledge of UW handling and emergency

F. Marking and Labeling

Federal regulations establish minimum mandatory marking and labeling requirements for containers and transport vehicles. In addition to container marking, the area(s) designated for accumulation universal waste shall be marked as such. The marking and labeling requirements are found in 273.14 for SQHUWs and 273.34 for LQHUWs. EPA regulations allow generators to mark/label containers with words other than “Universal Waste” (e.g., “used” and “waste”);

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however, to reduce the risk of wastes being misidentified as RCRA hazardous waste, the words “Universal Waste” shall be prominently displayed on all universal waste containers in GSA properties. When marking or labeling containers with these alternate terms, the containers must also be marked with the words “Universal Waste”. In GSA properties, each item, device, or container holding multiple UWs shall be marked with the date waste collection began and marked or labeled clearly with any of the following as appropriate for the UW being collected:

- Batteries – “Universal Waste—Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies)”;
- Recalled Pesticides – (1) The original label that was with the product when it was sold/distributed if it is still legible and (2) “Universal Waste – Pesticide(s)” or “Waste Pesticide(s)”;
- Unused Pesticides – (1) The original label that was with the product when it was sold/distributed if it is still legible, (2) labeled IAW DOT regulations or another label prescribed or designated by the waste pesticide collection program administered or recognized by a state, and the words “Universal Waste – Pesticide(s)” or “Waste Pesticide(s)”;
- Mercury Containing Equipment – “Universal Waste—Mercury Containing Equipment,” “Waste Mercury-Containing Equipment,” or “Used Mercury-Containing Equipment”;
- Mercury-containing Thermostat – “Universal Waste—Mercury Thermostat(s),” “Waste Mercury Thermostat(s),” or “Used Mercury Thermostat(s)”;
- Lamps – “Universal Waste – Lamps(s),” “Waste – Lamp(s),” or “Used – Lamp(s)”.

NOTE

“Universal Waste” shall be prominently displayed and visible on all where the existing container markings do not contain the words “Universal Waste”.

G. Transportation and Disposal

Universal wastes do not have to be shipped on a Uniform Hazardous Waste Manifest; however, use of a manifest is preferred. Regardless of the documentation used, GSA handlers/generator must maintain basic shipping records (e.g., manifests, Bills of Lading, invoices, and other shipping papers) for the life of the facility. UW handlers may also transport or receive UW between other handlers (i.e., between GSA UW facilities). GSA will offer UW for transport and recycling or disposal only to handlers/haulers and designated facilities authorized to perform the specific disposition service.

H. Administrative and Recordkeeping Requirements

Federal regulations require employers to ensure that employees who handle or have responsibility for managing UW are familiar with proper procedures relative to their

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responsibilities during normal facility operations and emergencies. UW handlers shall also maintain required documentation.

- Training.
 - Personnel shall be familiar with proper procedures appropriate to the type(s) of universal waste handled at the facility and based on their respective duties ([40 CFR 273.16](#) and [40 CFR 273.36](#)).
 - GSA requires that training be conducted and documented annually, or as otherwise necessary to ensure that personnel who handle or have responsibility for managing universal waste are sufficiently knowledgeable to properly manage UW and respond to emergencies for the UW they handle.
- Recordkeeping.
 - Maintain records of all universal waste shipments received by and sent from the facility.
 - Retain training records.
 - Comply with spill and release reporting requirements.

11. USED OIL MANAGEMENT

A. Scope of Used Oil Regulation at GSA Properties

Used oil is generally regulated by [40 CFR Part 279](#), which establishes Federal standards for used oil generators, transporters, transfer facilities, collection centers, processors and re-refiners, burners, and marketers. This Desk Guide focuses on requirements for used oil based on the assumption that most used oil will be recycled.

Regulations in [40 CFR Part 266](#) apply to used oil burned for energy recovery, but GSA does not anticipate such activities will be conducted by its client agencies and other tenants. Accordingly, the topic is not covered in this Desk Guide. Contact the Regional EHS Manager if you are interested in activities related to other steps in the used oil lifecycle.

Many State and local regulators have their own standards for used oil, which may be more stringent than those listed in this Desk Guide. Any GSA facility that generates used oil must identify all applicable State and local regulations in addition to the regulations identified in this Desk Guide.

B. Used Oil Identification

The most commonly generated types of used oil at GSA properties include, but are not limited to, used motor oil, gear oil, greases, machine cutting and coolant oils, hydraulic fluids, brake fluids, electrical insulation oils, heat transfer oils, and refrigeration oils that as a result of use is contaminated by physical or chemical impurities. Regulation of used oil under Part 279 is subject to the following restrictions:

- Used oil that is recycled and is also a hazardous waste solely because it exhibits a hazardous characteristic is not subject to the requirements of [40 CFR Parts 260 through](#)

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[268](#), but is regulated under [40 CFR Part 279](#).

- Used oil that contains PCB concentrations of 50 parts per million or more is regulated under the Toxic Substances Control Act (TSCA) and is not subject to the requirements of [40 CFR Part 279](#). Oil that contains PCBs is generally found in or removed from older model transformers installed in 1979 or earlier.
- Used oil is not considered a hazardous waste as long as it is recycled, unless it is specifically defined as such by State regulation (as is the case in California).
- Used oil not being sent for recycling and used oil mixed with hazardous waste must generally be managed as hazardous wastes for accumulation, transport, treatment, storage, and disposal purposes.
- Used oil that contains more than 1,000 parts per million (ppm) of total halogens is presumed by EPA to have been mixed with a regulated halogenated hazardous waste (i.e., spent halogenated solvents) and is subject to hazardous waste regulations.

DISPUTING THE PRESUMPTION OF HAZARDOUS WASTE

If a generator can demonstrate that the used oil has not been mixed with halogenated hazardous waste, the used oil can then be managed under the used oil management standards instead of the RCRA hazardous waste regulations.

C. Requirements for Used Oil Generators

Used oil generators are subject to limited standards under [40 CFR Part 279, Subpart C](#). Most of the requirements placed on generators of used oil focus on establishing good housekeeping practices for storing used oil on-site. Further, application of used oil for road oiling or as a dust suppressant is generally prohibited under RCRA and is prohibited on GSA properties. Additionally, only used oil generated on-site may be burned in on-site space heater units at GSA properties.

i. Used Oil Accumulation

There are no Federal accumulation time or quantity limitations. However, all generators must comply with the rebuttable presumption discussed above.

ii. Containers

Used oil may only be stored in containers and tanks that are in good condition (i.e., free of any visible spills, leaks, structural damage, or deterioration) or units that are already subject to other regulations such as underground storage tanks subject to the requirements of [40 CFR Part 280](#).

iii. Spill Response

Federal regulations require that in the event of a release, the generator must comply with the response measures set forth in [40 CFR 279.22\(d\)](#), which include stopping and containing the

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release, properly managing any used oil or contaminated materials, and repairing or replacing the leaking container or tank. Releases from underground storage tanks that are subject to UST corrective action are regulated under [40 CFR Part 280](#) standards, not [Part 279](#).

D. Marking and Labeling

Containers, aboveground tanks, and fill pipes used to transfer used oil into underground storage tanks must be clearly marked with the words "Used Oil" to prevent incidental mixing of used oil with hazardous waste or other materials.

E. Transportation and Disposal

Used oil must be shipped IAW EPA and DOT, as well as State, local, and municipal regulatory requirements. For full Federal requirements, refer to [40 CFR 279.24](#). State regulations are commonly more stringent than Federal. The minimum Federal requirements include the following:

- Transporters other than the generator must have an EPA ID Number
- Generators may transport their used oil without a ID Number provided they
 - 1) Use a vehicle owned by the Generator
 - 2) Do not transport more than 55 gallons of used oil at any one time; and
 - 3) The used oil is transported to a registered, licensed, permitted, or government-approved used oil collection center.

F. Administrative and Recordkeeping Requirements

Used oil generators are subject to all applicable Spill Prevention, Control and Countermeasures Plan (SPCC Plan) requirements ([40 CFR Part 112](#)) and shall maintain a current SPCC Plan and all associated training records. Used oil generators shall also:

- Maintain any analyses for a period of 5 years and all documents associated with a challenge of the rebutted presumption for used oil
- Keep records of the amount of oil shipped and destination; State regulators may have additional requirements for used oil recordkeeping.

12. RENOVATION AND REPAIR WASTE

A. Scope of Renovation and Repair Wastes at GSA Properties

Historic construction practices included the use of building materials and chemicals that have since been found to cause harm to human health or the environment and in some cases are now known to be highly toxic when handled improperly. Federal regulations have been published to provide management requirements for most of these materials. The following sections provide guidance on managing the most common building-related wastes that may be found in GSA buildings and structures: asbestos or asbestos-containing materials (ACM), PCB

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wastes, and lead-based paint wastes.

This discussion focuses on Federal environmental regulations, but State and local environmental programs may impose additional requirements. Compliance with applicable OSHA regulations for worker protection is also critical but is not discussed in detail in this Desk Guide. Contact the Regional EHS Manager for assistance if your activities on GSA property may result in generation of these types of wastes.

B. Wastes Containing Asbestos

Asbestos and ACMs were commonly used in building materials (e.g., drywall, plaster flooring, and roofing) as insulation and fireproofing, and are still used by manufacturers outside the United States. Because airborne fibers pose a hazard to human health, steps such as the use of local exhaust ventilation and collection systems equipped with HEPA filters, must be taken to eliminate the risk of friable fibers or unfiltered air from being released into the environment.

Asbestos management activities, including notification of proposed abatement, are not the focus of this discussion and shall be accomplished IAW the GSA Asbestos Management Policy, applicable regulatory requirements, and, contracts, where appropriate.

Waste containing asbestos shall be collected IAW the GSA Asbestos Policy and/or the terms of the abatement contract, as appropriate. Regardless of the amount of asbestos or ACM removed, and unless otherwise required by local conditions (contract, state laws, etc.), the material to be disposed shall be minimally managed as follows:

- Managed IAW National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements based on the removal method employed;
- Maintain in an adequately wet condition, and do not discharge visible emissions to the outside air during collection, processing, packaging, or transporting;
- Avoid damaging or unnecessarily disturbing ACM (e.g., by dropping or throwing it into dumpsters);
- Contain ACM components in leak-tight wrapping (e.g., double-bagged 6-mil plastic bags secured with duct tape for closure);
- Placement of ACM components that cannot feasibly be wrapped into closed receptacle that prevent generation and dispersal of asbestos dust;
- Use of local exhaust ventilation and collection systems to capture airborne asbestos fibers such that there are no visible emissions to outside air;



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- Supervised renovation/demolition by personnel trained in CAA regulations and practices for safe handling of asbestos and ACM; and,
- Containment and proper disposal/management of all equipment, scrap, waste, debris, and protective clothing containing asbestos fibers.

i. Marking and Labeling

As soon as possible after generation of asbestos-containing waste material, label containers or wrapped materials with the name of the waste generator and the location at which the waste was generated.

Use warning labels specified by the OSHA Occupational Safety and Health Standards under 29 CFR [1910.1001\(j\)\(4\)](#) or [1926.1101\(k\)\(8\)](#). The labels shall be printed in letters of sufficient size and contrast so as to be readily visible and legible.

ii. Transportation and Disposal

Asbestos wastes must be sent to disposal facilities that comply with EPA asbestos waste disposal site criterion or an EPA-approved site that converts the waste into asbestos-free materials. Vehicles used for asbestos and ACM waste transport must be properly marked and either covered or enclosed to prevent releases. State and local criterion may be more stringent.

iii. Administrative and Recordkeeping Requirements

A manifesting and recordkeeping program, similar to that described above for RCRA hazardous wastes, must also be followed as outlined in [40 CFR 61.150\(d\)](#). As with hazardous waste shipments, generators should ensure that a signed copy of the manifest is received back from the disposal facility within 45 days of shipment to confirm that the asbestos waste arrived as expected. If the signed manifest is not returned, and the situation cannot be resolved with the receiving facility and/or transporter, EPA or the State Agency must be contacted to alert them of the missing shipment.

C. Wastes Containing Polychlorinated Biphenyls (PCBs)

Because of their high resistant to extreme temperatures and pressures, PCBs were used widely as coolants and insulating fluids in electrical equipment like capacitors and transformers. PCBs were commonly used in old fluorescent light bulbs, PVC coatings on electrical cables, caulking, adhesives, wood floor finishes, waterproofing compounds, and paints.

EPA does not require removal of PCBs and PCB Items from service and disposal in advance of planned removal. When PCBs and PCB Items are removed from service and designated for disposal, disposal shall be conducted IAW the PCB regulations ([40 CFR 761 Subpart D](#)).

Regulations on liquid PCB management are well-established and clear to understand. The less understood application of the PCB regulations to caulking lack clear guidance/interpretation by EPA, which results in each incidence of PCB in caulking being managed on a case-by-case basis

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by and at the discretion of the Regional EPA PCB program manager. Therefore, there is no consistent federal regulatory process for identifying (characterizing) PCBs in caulking and adjacent building materials.

i. Liquid PCBs

As a part of major re-lamping and other projects to eliminate PCBs, the presence of liquid PCBs at GSA properties should be rare. In all cases, PCB liquids at concentrations ≥ 50 ppm must be disposed of in accordance with disposal requirements set forth in [40 CFR 761.60](#). Federal regulations allow intact and non-leaking small capacitors (e.g. in motors or fluorescent light ballasts, etc.) to be disposed in municipal solid waste.

ii. Building Materials

PCB-contaminated building materials (i.e., substrate) wastes are managed based on the materials' classification at the time it is designated for disposal. The two classifications of PCB-contaminated wastes are; (1) PCB Bulk Product Waste – Includes scenarios where the PCB containing material (e.g., caulk, paint, mastics, sealants, etc.) is still attached to the building material, and (2) PCB Remediation Waste – Include scenarios where the PCB containing material has been removed or flaked off the building material.

General considerations associated with PCBs in building materials include:

- PCBs have been detected in caulk in buildings at concentrations ranging from below 50 parts per million (ppm) to greater than 440,000 ppm.
- Testing caulk and other building materials for PCB content prior to disturbance is not required by law, but is essential in helping to determine what worker and environmental protections are needed and how to characterize the wastes for disposal. EPA is considering moving forward with a proposed rule phasing out continued use of PCBs.
- PCB-contaminated materials and media may be encountered at GSA properties during facility maintenance, renovation, demolition, and decommissioning activities.
- Once confirmed/presumed, PCB-containing wastes must be properly managed and disposed to ensure compliance with applicable regulations and protect human health and the environment.
- Whenever possible, PCB-containing building materials (e.g., caulk) should be removed during planned renovations and repairs.
- Owners and operators also have the option of avoiding testing by simply assuming that caulk and other potentially impacted building materials contain PCBs at



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regulated levels and handling the wastes accordingly under TSCA.

- Remove and dispose of PCB-containing fluorescent light ballasts when necessary IAW TSCA regulations in [40 CFR 761.60](#) and [761.62](#), and any staining or residues on light fixtures or building surfaces that are attributable to prior leaks must be properly cleaned up IAW [40 CFR 761.79](#). If cleanup is unsuccessful, contaminated building materials must be disposed of IAW [40 CFR Part 761, Subpart D](#).
- Bulk PCB remediation waste or PCB bulk product waste may be stored at the clean-up site or site of generation for 180 days provided the storage conforms with [40 CFR 761.65\(c\)\(9\)](#).

iii. Marking & Labeling

Regulated PCB wastes must be marked as such IAW [40 CFR Part 761, Subpart C](#).

During accumulation while awaiting disposal, regulated PCB wastes must be marked with the contents based on the waste classification at the time it was designated for disposal (PCB Bulk Waste Product or Bulk PCB Remediation Waste). PCB items and areas used to store PCBs, PCB Items and PCB-contaminated wastes for disposal, shall be marked IAW [40 CFR Part 761, Subpart C](#). PCB items subject to the marking requirements of [40 CFR Part 761, Subpart C](#), shall retain those markings once designated for disposal and shall be dated IAW Subpart C.

Prior to shipment, containers of regulated waste shall be marked with the proper DOT shipping name and hazard warning labels.

iv. Transportation and Disposal

Regulated PCB wastes must be shipped using the Uniform Hazardous Waste Manifest (EPA Form 8700-22) and only to approved facilities. Complete manifest IAW [40 CFR 761.207](#).

- Possess/Use EPA ID Numbers
- Containers used for the storage of liquid or non-liquid PCB waste shall comply with DOT Regulations ([49 CFR Parts 171-180](#)).
- PCB at concentrations of <20 ppm or <1 pound of PCBs regardless of concentration must be packaged IAW Packaging Group III, unless other hazards associated with the PCB waste cause it to require packaging IAW Packaging Groups I or II.
- On a manifest, the phrase “Non-DOT Regulated PCBs” may be used to describe PCB waste not subject to DOT requirements.
- Fluorescent light ballasts containing PCBs in their potting material must be disposed of in a TSCA-approved disposal facility, as PCB bulk product waste under [40 CFR 761.62](#), or IAW the decontamination provisions of [40 CFR 761.79](#).

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v. Administrative and Recordkeeping Requirements

PCB waste management records consist primarily of the waste analysis, plan, shipping documents and disposal certificate from the facility that received/disposed of the waste. Manifests shall be completed and maintained in accordance with [40 CFR Part 761.207 - The manifest - general requirements](#). Records shall be maintained IAW [40 CFR Part 761, Subpart K - PCB Waste Disposal Records and Reports](#).

D. Wastes Containing Lead

Lead contamination in GSA buildings can generally be attributed to lead-based paint. However, activities in special use spaces can also create an environment that results in the generation of lead waste or lead contamination.

i. Waste Identification

Lead-based paint shall be managed and removed IAW GSA guidance.

- Lead-based paint and waste generated from firing range cleaning or ventilation or filtration systems associated with firing ranges shall be tested and characterized for lead using an EPA-approved hazardous waste testing method
- Any lab results that are at or above 5 ppm shall be managed IAW RCRA hazardous waste regulations and/or state or local regulatory agency requirements
- Lead generated from firing range usage shall be collected and recycled or otherwise managed IAW local procedures.

ii. Hazardous Waste Management

If any waste exceeds the RCRA regulatory limits for lead, manage the waste (i.e., label, ship, maintain records, dispose, etc.) IAW the EPA and DOT requirements (overview is in Sections 9 and 15).

13. OZONE DEPLETING SUBSTANCES (ODS)

A. Scope of Ozone Depleting Substances at GSA Properties

As the name implies, ozone depleting substances (ODS) deplete the ozone. To protect the ozone layer, the production and use of ODS have been phased out in the United States and other countries. ODS are regulated by the CAA and are split into two groups: Class I ODS, such as chlorofluorocarbons (CFCs), and Class II ODS, such as hydrochlorofluorocarbons (HCFCs). In GSA, ODS are generally found in older refrigeration units or HVACs that contain CFCs.

B. Ozone Depleting Substances Identification

A list of all CFCs can be found in the CAA under [40 CFR Part 82](#). Pursuant to the Federal Management Regulation (FMR) ([41 CFR 102-40.215](#)), "...Prior to disposal of ODSs removed or

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reclaimed from facilities or equipment, including disposal as part of a contract, trade or donation, coordinate with the Defense Ozone Depleting Substances Reserve Program Office to determine if the recovered ODS is a critical requirement for Department of Defense (DoD) missions. Direct inquiries to the Defense Ozone Depleting Substances Reserve Program Office, Defense Supply Center, Richmond, Virginia...". Table 4 is a list of ODSs eligible for turn in to DoD as of the publishing of this Desk Guide.

If the DoD does not accept or does not have a need for a specific ODS, the ODS can be otherwise properly disposed or sold to a company authorized and licensed to receive them.

As of the publication date of this Desk Guide, the Defense Ozone Depleting Substances Reserve Program Office accepts the ODSs in Table 4.

Table 4: ODS Accepted by DoD

SUBSTANCE	IDENTIFIER	CHEMICAL NAME
CFCs:	R-11	Trichlorofluoromethane
	R-12	Dichlorodifluoromethane
	R-114	Dichlorotetrafluoroethane
	R-500	Azeotropic mixture of CFC-12 and HFC-152A (1,1 Difluoroethane)
	R-502	Azeotropic mixture of CFC-115 and HCFC-22
HCFCs:	R-22	Chlorodifluoromethane
HALONS:	Halon 1202	Dibromodifluoromethane
	Halon 1211	Bromochlorodifluoromethane
	Halon 1301	Bromotrifluoromethane
SOLVENTs	Methyl Chloroform	1,1,1 Trichloroethane
	CFC-113	Trichlorotrifluoroethane

C. Transportation and Disposal

Shipments to the DoD will be made via contract carrier as arranged by the DoD repository. Shipment to other than DoD shall be transported IAW all applicable departments of transportation requirements and shipped to and disposed at facilities authorized to receive and treat or dispose the specific ODS.

D. Administrative and Recordkeeping Requirements

The shipping documents (e.g. bill of lading) shall be retained for a period of five (5) years. Persons completing and signing the shipping documents shall be trained IAW with DOT applicable requirements. Refer to Section 16: Transportation and Disposal (training).

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14. REGULATED MEDICAL WASTE

A. Scope of Regulated Medical Waste at GSA Properties

Regulated medical waste includes a range of liquid or semi-liquid blood or other potentially infectious materials and contaminated items. OSHA’s blood-borne pathogens standard classifies used sharps containing potentially infectious materials as contaminated sharps. Sharps include any article with points or edges that can puncture or cut the skin such as, but not limited to:

- Needles;
- Syringes;
- Lancets;
- Auto injectors;
- Infusion sets; and,
- Connection needles/sets.

The scope of this policy and Desk Guide is limited to guidance for best management practices and responsibilities for the safe disposal of used sharps resulting from personal use/self-injection in GSA owned and leased buildings. This guidance does not address requirements for sharps or other regulated medical wastes generated/collected in a medical facility such as a clinic or health unit, as these facilities are governed by separate regulatory requirements.

The Centers for Disease Control and Prevention (CDC), OSHA, the Food and Drug Administration (FDA), the National Institute of Occupational Safety and Health (NIOSH), and some state and local authorities regulate or provide guidance on the handling and disposal of sharps for healthcare professionals, healthcare facilities, and residential occupants. Medical facilities such as a clinic or health unit within GSA space shall comply with all applicable standards governing their industry, including but not limited to worker protection, collection, labeling, transporting, and disposal.

B. Requirements for Regulated Medical Waste at GSA Properties

This section provides guidance for best management practices and responsibilities for the safe disposal of used sharps resulting from personal-use/self-injection in GSA owned and leased buildings. For purpose of this Policy and Desk Guide, all used sharps shall be considered contaminated.

ADVISORY

The handling and disposal of personal used sharps is not a standard service provided as part of the agency rent bill through GSA custodial or operations & maintenance contracts or with lessors.

The following shall be adhered to by occupants or tenants using sharps in GSA controlled buildings:

- Used sharps must not be placed in any building trash, recycle, feminine hygiene, or other general waste receptacle
- Sharps will not be left on restroom counters, sinks, or flushed down toilets

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- Contaminated sharps must be placed in appropriate containers (sharps containers [medical facilities/personal use] or other impenetrable containers [personal use]) for disposal
- Personal use sharps are not accepted for collection/disposal in Federal Occupational Health (FOH) managed health units across GSA
- Individuals that generate used personal-use sharps are responsible for their proper disposal
- Employers shall advise employees who use sharps to transport sharps out of the building in a safe manner (using sturdy, laundry detergent container, personal sharps container, etc.) for proper disposal. The FDA recommends that individuals when leaving home, always carry a small, travel-sized sharps disposal container in case other proper disposal options are not available at the point of use. Personal-use sharps disposal containers are widely available at pharmacies and online.

Requirements for the management and disposal of sharps may vary by state or locale, but generally most requirements focus on supervised drop-off or collection sites, waste pickup services, and mail-back programs which may be performed either by a vendor or the customer. Of these methods, the mail-back program is generally considered the least costly and most compliant for all jurisdictions.

C. Transportation and Disposal

Proper handling and disposal of used sharps is essential to avoid injury and potential infection from associated blood or other bodily fluids. Disposal of used personal-use sharps is not a standard service as part of an occupancy agreement, nor do health units located in GSA buildings accept personal use sharps. The transportation of personal use sharps is not regulated by the DOT. Disposal of personal-use sharps is the responsibility of those individual occupants and visitors who use them.

Occupants or tenants who use sharps shall transport sharps out of GSA buildings in a safe manner for disposal, as they would if used at home.

15. BATTERIES

A. Scope of Regulated Batteries at GSA Properties

Spent (waste) batteries like other wastes must be properly characterized before they are disposed. Because most batteries exhibit one or more hazardous waste characteristic, the Mercury-Containing and Rechargeable Battery Management Act (Battery Act) was enacted in part to facilitate efficient recycling or proper disposal of used regulated batteries. Although recycling is the preferred final disposition method, when batteries are accumulated for recycling remain subject to a number of traditional hazardous waste management requirements (i.e. waste identification and characterization, waste determination and

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recordkeeping, and land disposal restrictions requirements [[40 CFR Parts 261, 261.11 and 268](#) respectively], etc.). Regulated batteries may include nickel-cadmium rechargeable batteries, used small sealed lead-acid rechargeable batteries, and lithium batteries.

B. Requirements for Regulated Batteries

Recycling and regeneration are the preferred treatment methods for spent batteries; however some batteries will result in the generation of regulated HW. Like the Universal Waste Rule does for consumers, the Battery Act streamlines regulatory requirements for regulated battery collection programs; eliminates barriers to funding for collection, recycling or proper disposal for industry. The Act also requires manufacturers and distributors to comply with uniform labeling requirements. In addition to the 3 chasing arrows or a comparable recycling symbol, labels identify the hazardous constituents of batteries and can be used as a starting point to help characterize the waste stream.

The following are general guidelines for battery characterization and waste stream management:

- Examples of mandatory manufacturers/distributors labeling requirements:
 - i. Nickel-cadmium (Ni-Cad) – Label with chemical name or the abbreviation “Ni-Cd” and the phrase “BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY.”
 - ii. Rechargeable consumer product – Products containing a regulated battery that is not easily removable must be labeled with the applicable phrase “CONTAINS NICKEL-CADMIUM BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY.” Or “CONTAINS SEALED LEAD BATTERY. BATTERY MUST BE RECYCLED.”.
- Batteries may exhibit the toxicity characteristic for constituents such as lead (lead-acid batteries), cadmium (nickel-cadmium rechargeable batteries), or mercury (mercuric oxide, and some alkaline batteries); certain lithium batteries may exhibit the characteristic of reactivity; batteries may be hazardous due to other characteristic properties; or batteries may not be hazardous at all.
 - i. Lithium Batteries are most commonly characteristic for reactivity ([40 CFR 261.23](#)) and subject to the applicable standards under RCRA. Lithium batteries that are shipped for the purpose of disposal or recycling are exempt from certain DOT regulations provided they comply with other specified sections of DOT regulations (see [49 CFR 173.185\(d\)](#)).
 - ii. Lead-acid batteries are commonly characteristic HWs (lead, corrosive). Generators who collect and/or transport spent lead-acid batteries for the purpose of regeneration and or reclamation are partially exempt from RCRA HW management requirements. To determine any specific exemptions from HW requirements, generators should refer to the table at [40 CFR 266.80](#). Alternately, generators may manage these batteries as UW, provided they are shipped to an approved facility for final disposition. In either case these batteries must be recycled.
 - iii. Mercury batteries are commonly characteristic HWs (mercury). The Mercury-containing and Rechargeable Battery Management Act of 1996 prohibits the use of

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mercury in all types of batteries. The mercury-containing equipment provision under the UW Rule ([40 CFR 273.9](#)) excludes mercury-containing batteries.

Batteries that exhibit a characteristic of HW or otherwise meets the definition of a hazardous waste and cannot be recycled must be managed under the appropriate hazardous waste generator regulations in [40 CFR Part 262](#).

C. Transportation and Disposal

Generators and transporters must comply with applicable DOT, State, and local transportation regulations and ship only to authorized facilities licensed or permitted to recycle or dispose of the specific type of battery.

Not all batteries are listed by name in the DOT Hazardous Materials Table ([49 CFR 172.101](#)) and are often shipped using names such as Batteries, dry, sealed, n.o.s. (Mercury Batteries Spent); Batteries, dry, sealed, n.o.s. (Nickel Metal Hydride Batteries Spent); and Environmentally Hazardous Substance, Solid, n.o.s. (Mercury Batteries).

16. TRANSPORTATION AND DISPOSAL

In addition to program-specific (i.e., hazardous waste, asbestos, etc.) on-site container management and marking requirements and prior to shipping off-site, containers must also be labeled IAW labels specified for the material in the DOT Hazardous Materials Table ([49 CFR 172.101](#)) and General Labeling Requirements ([49 CFR 172.400](#)).

Waste shall be packaged, labeled, manifested by persons trained to perform such tasks, and transported only by haulers licensed to transport the specific waste and shipped only to designated approved facilities.

A. Transportation

Prior to shipment, waste must be classified, packaged, marked, and labeled IAW the proper shipping name listed on the DOT Hazardous Materials Table ([49 CFR 172.101](#)). Proper shipping names shown in the DOT Hazardous Materials Table refers to items as materials in their unadulterated form (e.g., materials). When completing shipping documents, the word “waste” must be added to the proper shipping name listed on the DOT Hazardous Materials Table. Example: For asbestos, the proper shipping name is “asbestos”, as a waste, the proper shipping name would be “waste asbestos”.

Note: All references to the term “materials” in this section are based on DOT regulations and verbiage; however for the purpose of this document the word is synonymous with “waste”.

i. Containers (Packaging)

Container packaging requirements include, but are not limited to, packaging that is designed,

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constructed, maintained, filled, and closed, so that under conditions normally incident to transportation:

- 1) No release to the environment occurs; and
- 2) The package remains structurally sound. Able to withstand situations normally encountered during transportation (e.g. impact resistant, compatible packaging, protection against changes in humidity and pressure, shocks, loadings, and vibrations, and able to maintain the minimum and maximum temperatures).

ii. DOT Container Marking Requirements

Container markings must be:

- Durable, in English, and printed on or affixed to the surface of a package or on a label, tag, or sign;
- Displayed on a background of sharply contrasting color;
- Unobscured by labels or attachments; and,
- Located away from any other marking (such as advertising) that could substantially reduce its effectiveness.

iii. DOT Container Labeling Requirements

Container labeling identifies and communicates the DOT hazard class or division and are specified by the hazard class/division, label name, and the label design of the material/waste being transported.

1) Containers must also be labeled with labels specified for the material in the [49 CFR 172.101](#) Hazardous Materials Table ([49 CFR 172.400](#)).

2) DOT labels are in addition to the program-specific (i.e., hazardous waste, asbestos, etc.) warnings.

iv. DOT Placarding Requirements

Vehicles used in shipping hazardous materials between the generators and designated approved Facilities (e.g., TSDFs, recyclers, etc.) must be placarded on each side and each end with the placards specified in Tables 1 and 2 of [49 CFR 172.504](#). In general, placards are larger versions of a DOT hazard label.



Figure 4: Sample DOT Hazard Warning Label

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Both GSA and the tenant agency are responsible for ensuring that appropriate placards are applied before hazardous waste leaves the GSA facility ([49 CFR 172.506\(a\)](#)).

v. Shipping Documents

DOT requires that shipping papers describing the origin and other identifying characteristics of the shipment contents be prepared IAW [49 CFR Part 172, Subpart C](#) and readily accessible. Shipping papers may include a manifest, shipping order, bill of lading, or other shipping document serving a similar purpose.

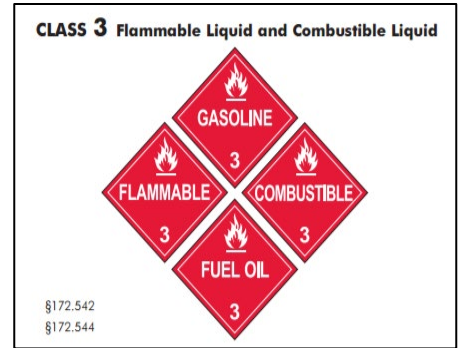


Figure 5: Placarding Examples

a) General Document Requirements

- a. Complete IAW DOT regulations
- b. Retain shipping documents IAW DOT recordkeeping requirements
- c. Track and maintain hazardous waste manifest IAW EPA regulations ([40 CFR 262.42](#))
- d. Shipping papers must be legible and printed (typed or handwritten) in English.

b) The Uniform Hazardous Waste Manifest

EPA mandates that the Uniform Hazardous Waste Manifest (EPA Form 8700-22) be used when shipping RCRA hazardous waste. The Uniform Hazardous Waste Manifest can also be used for non-RCRA regulated waste (asbestos, PCBs, etc.).

1) Completing the Uniform Hazardous Waste Manifest

- Follow the instructions provided on the EPA Form 8700-22 (see Figure 6)
- Persons completing or signing an EPA Form 8700-22 must be trained sufficiently to ensure that the manifest is correct and complete ([49 CFR 172.704](#)).
- Tips for completing the manifest are as follows:
- Review for accuracy, including the waste types and quantities, container sizes and quantities, waste codes, DOT classifications, and intended destination prior to signing it.
- Look for common errors, such as:
 - The wrong EPA ID number for the generator (or not including an EPA ID number),
 - Listing waste that was not loaded on the truck (wrong number of containers or accounting for waste that was expected to be shipped, but was not), or
 - Not including the correct hazardous waste codes.

CAUTION

Both RCRA and DOT hazardous materials law provide for civil penalties for failure to properly complete shipping documents or satisfying training requirements; for example, DOT regulations establish a baseline assessment up to \$7,500 per incident for failure to provide a shipping paper for a shipment of hazardous materials (ref: [49 CFR Part 107, Appendix A to Subpart D](#)).

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2) Signing the Manifest

Persons signing a manifest may do so 1) as the generator or 2) the offeror. Federal employees charged with signing a Hazardous Waste Manifest should write on the signature line the words “on behalf of” and the Agency name responsible for generating the waste and then sign (see the Instructions for Completing the Hazardous Waste Manifest).

When you sign a manifest, you are certifying that:

- Information is accurate;
- Contents are accurately represented, properly labeled and marked;
- Waste minimization considerations have been made;
- A manifest was signed each time custody of the waste was transferred during shipment and arrival to a final designated facility; and a
- Signed copy of the manifest containing all required signatures must be returned to the generator and retained for the life of the facility (exceptions reports, as needed).

Who signs the manifest:

- Both the generator (or their designee) and transporter must sign the manifest to begin the shipping process.
- The generator (GSA, tenants, and/or contractors) waste activities in GSA facilities inevitably create a co-generator scenario; in these situations, a lead generator shall be designated through a mutually agreed arrangement, and the designated lead would then serve as the signatory of the manifest.
- Where a contract exists for hazardous waste management services, the agreement must be explicitly worded and agreed upon by the vendor and the agency to satisfy the requirement of who the lead generator is.
 - Example: Where **tenant generated** waste is managed and/or shipped by GSA or a GSA contractor, one or a combination of the following scenarios should apply.
 - 1) An agreement exists between GSA and the tenant only – the designated lead would sign the manifest. If GSA were designated as the lead, GSA would sign as the offeror rather than generator.
 - 2) An agreement exists between GSA, the

WHO SHOULD SIGN THE HAZARDOUS WASTE MANIFEST?

Ultimately, the specific signing agency is determined on a case-by-case basis, considering the specific scenario and any pre-determined agreements and/or contracts. Some common considerations include:

- Multiple occupants or handlers of a waste, create co-generation scenario.
- In a co-generator scenario, GSA may delegate signature authority to the O&M or other contractor through a mutually agreed lead generator arrangement.
- Designated lead agreements do **not** relieve GSA of its waste generator responsibilities.

tenant, and the contractor – the designated lead would sign the manifest. If the contractor was designated as the lead, the contractor would sign as the offeror.

- Example: Where **GSA generated** waste is managed and/or shipped by a GSA contractor (O&M or waste) and an agreement exists, the designated lead would sign the manifest. If the contractor were designated as the lead, the contractor could sign as either the offeror or the generator (i.e., likely generated the waste on GSA's behalf).
- In the absence of a mutually agreed arrangement, EPA will assume the owner of the facility where the waste was generated or shipped from is the lead generator.

3) Exception Reporting

For waste shipped using a Uniform Hazardous Waste Manifest, a receipt copy of the signed manifest must be obtained from the designated facility and retained for the life of the GSA facility from which the waste was shipped.

GSA (or an authorized representative) should receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within a specified time of the date the waste was accepted by the initial transporter (shipped off-site from GSA).

General Exception Reporting Requirements

- GSA is responsible for obtaining a signed and completed manifest and therefore must track and follow-up on each hazardous waste manifest if necessary
- Conform to the timelines based on the generator category
- Submit all required reports to the governing EPA Regional Administrator.

Large Quantity Generator (LQG) Exception Reporting Requirements ([40 CFR 262.42\(a\)](#))

- Within 35 days of the date the waste was shipped off-site, contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste
- Within 45 days of the date the waste was shipped off-site, GSA (or an authorized representative) must submit an Exception Report
- Submit the Exception Report, a legible copy of the manifest, and a cover letter signed by the generator or his authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.

Small Quantity Generator (SQG) Exception Reporting Requirements ([40 CFR 262.42\(b\)](#))

- Within 60 days of the date the waste was shipped, GSA (or an authorized representative) must submit an Exception Report
- Submit a legible copy of the manifest and a cover letter indicating that the confirmation of delivery has been received.

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Figure 6: Sample Uniform Hazardous Waste Manifest

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) 1 1 1 1 1 Form Approved, OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number 2. Page 1 of 3. Emergency Response Phone 4. Manifest Tracking Number

5. Generator's Name and Mailing Address Generator's Site Address (if different than mailing address)

Generator's Phone: _____

6. Transporter 1 Company Name U.S. EPA ID Number _____

7. Transporter 2 Company Name U.S. EPA ID Number _____

8. Designated Facility Name and Site Address U.S. EPA ID Number _____

Facility's Phone: _____

9a. HM	9b. U.S. DOT Description (Including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit WL/Vol.	13. Waste Codes
		No.	Type			
1.						
2.						
3.						
4.						

14. Special Handling Instructions and Additional Information

15a. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
 b. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Officer's Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____

16. International Shipments Import to U.S. Export from U.S. Port of entry/exit: _____
 Transporter signature (for exports only): _____ Date leaving U.S.: _____

17. Transporter Acknowledgment of Receipt of Materials
 Transporter 1 Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____
 Transporter 2 Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____

18. Discrepancy
 18a. Discrepancy Indication Space Quantity Type Residue Partial Rejection Full Rejection
 Manifest Reference Number: _____
 18b. Alternate Facility (or Generator) U.S. EPA ID Number _____
 Facility's Phone: _____
 18c. Signature of Alternate Facility (or Generator) _____ Month _____ Day _____ Year _____

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
 1. _____ 2. _____ 3. _____ 4. _____

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in item 18a
 Printed/Typed Name _____ Signature _____ Month _____ Day _____ Year _____

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete. **DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)**

Waste Minimization Certification.

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c) Other Shipping Documents

A bill of lading (sometimes abbreviated as B/L or BoL) or other similar documents are used by carriers to detail specifics of a shipment. They are legal documents between the shipper and carrier which list the type, quantity, and destination of the items being transported. These documents are not generally signed by the shippers (generators).

These documents are not acceptable for shipping RCRA hazardous wastes.

Material descriptions must be described in the following naming sequence (IAW the [49 CFR 172.101](#) Hazardous Materials Table):

- Identification Number (Column 4);
- Proper Shipping Name (Column 2);
- Hazard Class (Column 3); and,
- Packing Group (Column 5)

For additional guidance on preparing shipping papers, see the [DOT Guide for Preparing Shipping Papers](#) and applicable Federal, State, and local requirements.

B. Disposal

Regulated waste covered by this Desk Guide shall never be disposed on-site at GSA properties and should never be processed, treated, or recycled on-site, unless specifically authorized to do so by the Federal, State, or local regulator and with the approval of the GSA Regional Commissioner. GSA shall only contract with transporters that are licensed, permitted, and insured to perform the specific waste management activities required, and ship only to designated facilities.

- Transporters are required to transport hazardous waste to an approved facility and to manage the waste according to all requirements found in [40 CFR Part 263](#). Transporters are required to obtain an EPA ID number prior to transporting hazardous waste. In many states, hazardous waste transporters are also required to obtain registrations or permits.
- Approved facilities are those authorized via permit, license, or registration with EPA or a State to receive a specific category or class of regulated waste.
 - A TSDF can treat, store (for greater than 90 or 180 days), and/or dispose of hazardous waste. The TSDF may burn or incinerate hazardous waste while recovering the energy from that activity to run their own processes, such as in the case of cement kilns. A TSDF may also stabilize a hazardous waste and then bury it, as occurs at a hazardous waste landfill. The TSDF's permit will establish the parameters under which the TSDF will operate, and the permit ensures that all hazardous waste is adequately treated, stored, and disposed.
 - Other types of facilities that are licensed to handle a variety of waste to include **permitted and compliant** facilities that treat, dispose, or recycle a particular

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category of universal waste or used oil, asbestos waste, and municipal hazardous waste landfills.

C. Administrative & Recordkeeping

Note: All references to the term “materials” in this section are based on DOT regulations and verbiage; however for the purpose of this document the word is synonymous with “waste”.

i. Training

GSA staff and contract personnel responsible for managing regulated waste must complete function-specific training and testing that provides familiarity with the requirements of the waste they manage on-site or ship off-site. In addition to EPA on-site management requirements, persons performing pre-transportation functions (hazmat

CAUTION

DOT hazardous materials law provide for civil penalties for failure to properly satisfy training requirements. Example: up to \$1,500 per training area (general awareness, function-specific, safety, and security awareness training) for failure to provide initial training to hazmat employees (ref: [49 CFR Part 107, Appendix A to Subpart D](#)).

employees) must also complete training that provides them with the requisite skills to perform the pre-transport functions that they are responsible for performing. Full understanding of these requirements will ensure worker protection and avoid potential violations and penalties.

A. Training Requirements

DOT requires that training be a systematic program that ensures hazmat employees have familiarity with the general provisions of [49 CFR Subchapter C Part 172](#) and:

- are able to recognize and identify hazardous materials,
- have knowledge of specific requirements of the referenced subchapter applicable to functions performed by the employee, and
- have knowledge of emergency response information, self-protection measures and accident prevention methods and procedures

B. Training Competencies and Frequency

Employers shall ensure that hazmat employees are trained and tested IAW [49 CFR 172.704](#) based on the hazmat employees’ role in hazardous materials pre-transportation management. Hazmat employee training must include the following general awareness/familiarization training and function-specific training, and safety training, and security awareness training, and in-depth security training.

General awareness/familiarization training, safety training, and security awareness training

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maybe satisfied with training conducted by the employer (GSA and contractors) to comply with the OSHA hazard communication programs (29 CFR [1910.120](#) or [1910.1200](#)) or training conducted by employers to comply with security training programs required by any Federal or international agencies.

Function-specific training associated with pre-transport activities must be satisfied with training that provides the employee with sufficient knowledge and testing to demonstrate ability to perform the following functions based on the individual's roles:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Determining the hazard class of a hazardous material; • Selecting a hazardous materials packaging; • Filling and securing a hazardous materials packaging, including a bulk packaging; • Marking and labeling a package to indicate that it contains a hazardous material; • Preparing a shipping paper; • Reviewing a shipping paper to verify compliance with the HMR or international equivalents; • Certifying that a hazardous material | <p>is in proper condition for transportation in conformance with the requirements of the HMR.</p> <ul style="list-style-type: none"> • Loading, blocking, and bracing a hazardous materials package in a freight container or transport vehicle. • Segregating a hazardous materials package in a freight container or transport vehicle from incompatible cargo. • Selecting, providing, or affixing placards for a freight container or transport vehicle to indicate that it contains a hazardous material. |
|--|---|

Frequency

Initial training ([49 CFR 172.704\(c\)\(2\)](#)).

A new hazmat employee or a hazmat employee who changes job functions:

- Must be trained within 90 days after employment or a change in job function.
- May perform function-specific task under the direct supervision of a properly trained and knowledgeable hazmat employee prior to completion of training and contingent on completion of training within 90 days.

Recurring training ([49 CFR 172.704\(c\)\(2\)](#)).

A hazmat employee must receive the recurrent training:

- At least once every three years.
- Every three years for in-depth security training required under paragraph [49 CFR 172.704\(a\)\(5\)](#) of this section, and within 90 days of implementation of a revised security plan for which training is required.

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ii. Recordkeeping

An overview of shipping and disposal records can be found throughout this document in the waste-specific sections, the waste manifesting discussions, and respective regulations. Unless specifically required by the regulator, paper records do not need to be maintained; records must simply be readily available and accessible for review. Records shall be maintained in the National Computerized Maintenance Management System (NCMMS). Records should be retained for the life of the facility.

Records should include, at a minimum:

- Shipping documents (i.e. manifest, bills of lading, etc.).
- Exception reporting, submitted as required.
- Training records must include - The hazmat employee's name; The most recent training completion date of the hazmat employee's training; A description, copy, or the location of the training materials used to meet the requirements in paragraph (a) of this section; the name and address of the person providing the training; and certification that the hazmat employee has been trained and tested, as required by this subpart.

Exhibit 2: Federal RCRA Generator Categories and Requirements

Generator	Hazardous Waste		
	VSQG	SQG	LQG
Generator Category Quantities	Generates in a month: ≤ 220 pounds hazardous waste ≤ 2.2 pounds acute hazardous waste ≤ 220 pounds acute hazardous waste spill residue or soil	Generates in a month: 220-2,200 pounds hazardous waste ≤ 2.2 pounds acute hazardous waste	Generates in a month: ≥ 2,200 pounds hazardous waste > 2.2 pounds acute hazardous waste > 220 pounds acute hazardous waste spill residue or soil
Accumulation Quantity Limit	≤ 2,200 pounds hazardous waste ≤ 2.2 pounds acute hazardous waste ≤ 220 pounds acute hazardous waste spill residue or soil	≤ 13,200 pounds hazardous waste ≤ 2.2 pounds acute hazardous waste	None
Accumulation Time Limit	None	≤ 180 days (or ≤ 270 days if transport ≥ 200 miles)	≤ 90 days
Identification Number	Not Required	Required, submit EPA Form 8700-12	Required, submit EPA Form 8700-12
Hazardous Waste Manifest	Not required, but must keep basic shipping records	Required, use EPA Form 8700-22	Required, use EPA Form 8700-22
Training	Basic training to ensure employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities	Basic training to ensure employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities (see 40 CFR 262.16(b)(9)(iii))	Full training to ensure employees are thoroughly familiar with proper waste handling and emergency procedures; annual review required (see 40 CFR 262.17(a)(7))
Waste Activity Report	Not required	Not required	Required biennially, submit EPA Form 8700-13

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Exhibit 3: SAMPLE SIGNATURE AUTHORIZATION FOR WASTE GENERATOR

MEMORANDUM FOR THE RECORD

DATE:

PROJECT NAME:

LOCATION:

CONTRACT NUMBER:

ORDER NUMBER:

PDN NUMBER:

PROJECT NUMBER:

CONTRACTOR:

RE: Signature Authorization from Waste Generator, General Services Administration (GSA)

This is a written acknowledgement that hereby gives _____ the authority to sign all Federal, State and Local waste documentation including but not limited to profiles, characterization forms and manifests on behalf of the General Services Administration. _____ will ensure that whoever signs on behalf of the government has the appropriate training per RCRA and DOT requirements and shall provide proof of such to GSA upon request.

AUTHORIZING OFFICIALS/SIGNATURE: _____

GSA Contracting Officer

GSA Project Manager

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Exhibit 4: Resources

Note: Regulatory agencies may amend their regulations and websites, which could result in citations listed herein to become obsolete. Users are advised to research and confirm non-functioning links with the agency associated with the links.

Topic	Additional Resources
<p>EPA Hazardous Waste Resources</p>	<p>Main Website: https://www.epa.gov/hw</p> <p>Hazardous Waste Generator Questions: https://www.epa.gov/hwgenerators/forms/contact-us-about-hazardous-waste-generators</p>
<p>EPA Hazardous Waste Generator Regulatory Summary</p>	<p>https://www.epa.gov/hwgenerators/hazardous-waste-generator-regulatory-summary</p>
<p>EPA RCRA CFR Reference</p>	<p>https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-regulations#haz</p>
<p>EPA Reporting Oil Spills and Hazardous Substances Releases</p>	<p>https://www.epa.gov/emergency-response/when-are-you-required-report-oil-spill-and-hazardous-substance-release</p>
<p>EPA Superfund, TRI, EPCRA, & Oil Information Center</p>	<p>https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/contact-us-about-oil-spill-prevention-and-1 Information Center: (800) 424-9346</p>
<p>EPA RCRA Subtitle C Reporting Instructions & Forms Includes:</p> <ul style="list-style-type: none"> • RCRA Subtitle C Site Identification Form (8700-12), • Hazardous Waste Report Form (8700-13 A/B), • Hazardous Waste Permit Part A Form (8700-23) 	<p>https://www.epa.gov/sites/production/files/2017-07/documents/site_id_instructions_andforms.pdf</p>
<p>EPA RCRA Biennial Hazardous Waste Report</p>	<p>https://www.epa.gov/hwgenerators/biennial-hazardous-waste-report</p>

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<p>Spill/Releases</p>	<p>National Response Center: Phone Number: (800) 424-8802 Website: http://nrc.uscg.mil/</p> <p>Guide to Reportable Quantities: https://www.epa.gov/sites/production/files/2015-03/documents/list_of_lists.pdf</p>
<p>TSCA References</p>	<p>40 CFR Chapter I Subchapter R (40 CFR Parts 723-770) EPA PCB Q and A Manual (June 2014 Version)</p>
<p>CAA CFR Reference</p>	<p>40 CFR Chapter I Subchapter C (40 CFR 61.145 AND 61.150) EPA's Stationary Refrigeration and Air Conditioning Webpage</p>
<p>DOT Resources</p>	<p>Pipeline Hazardous Materials Safety Administration (PHMSA): https://www.phmsa.dot.gov/training/phmsa-training</p> <p>Federal Motor Carrier Safety Administration (FMCSA): https://www.fmcsa.dot.gov/regulations/hazardous-materials/how-comply-federal-hazardous-materials-regulations</p>
<p>GSA Asbestos Policy</p>	<p>https://insite.gsa.gov/portal/content/675158 Search GSA.Gov Key Phrase: Asbestos Policy</p>
<p>GSA Sustainable Facilities Tool (SF Tool) (Green Procurement Compilation)</p>	<p>https://sftool.gov/greenprocurement</p>

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Exhibit 5: Laws and Regulations

The following list of laws, regulations, and standards apply to the management of regulated wastes at GSA properties. This Desk Guide is geared toward waste generators rather than treatment storage and disposal facilities (TSDFs), which must comply with additional standards.

Statutes

1. Resource Conservation Recovery Act of 1976 (RCRA)
2. Solid Waste Disposal Act of 1965 (SWDA)
3. Hazardous and Solid Waste Amendments of 1984 (HSWA)
4. Toxic Substances Control Act of 1976 (TSCA)
5. Clean Air Act of 1970 (CAA)

Code of Federal Regulations

1. 40 CFR Part 260, Hazardous Waste Management System: General
2. 40 CFR Part 261, Identification and Listing of Hazardous Waste
3. 40 CFR Part 262, Standards Applicable to Generators of Hazardous Waste
4. 40 CFR Part 263, Standards Applicable to Transporters of Hazardous Waste
5. 40 CFR Part 265, Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
6. 40 CFR Part 266, Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities
7. 40 CFR Part 267, Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a Standardized Permit
8. 40 CFR Part 268, Land Disposal Restrictions
9. 40 CFR Part 270, EPA Administered Permit Programs: The HW Permit Program
10. 40 CFR Part 273, Standards for Universal Waste
11. 40 CFR Part 279, Standards for the Management of Used Oil
12. 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos
13. 40 CFR Part 761, PCB Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions

Executive Orders

1. E.O. 12088 – Federal Compliance with Pollution Control Standards
2. E.O. 13650 – Chemical Facility Safety and Security

Codes and Standards

1. NFPA 30 – Flammable and Combustible Liquids Code
2. NFPA 700 – Standard System for the Identification of the Hazards of Materials for Emergency Response
3. International Fire Code
4. SW-846 – Test Methods for Evaluating Solid Waste: Physical/Chemical Methods (updated version)