

CONSOLIDATED CHECKLIST C11

Consolidated Checklist for Universal Wastes  
40 CFR Part 273 as of **December 31, 2002**

Note: The wording of several paragraphs addressed by this checklist needs to be revised to reflect the universal waste(s) the State adopts. Examples of such paragraphs include 273.32(a)(1), 273.32(b)(4)&(5), 273.6 definition of "Small Quantity Generator," and 273.39(a)(2). For instance, 273.39(a)(2) lists batteries, pesticides and thermostats as examples. A State should include as examples only those universal wastes for which it adopts regulations.

**Note: No final rules affecting 40 CFR Part 273 were promulgated between June 30, 2002 and December 31, 2002, therefore, this Consolidated Checklist corresponds to 40 CFR Part 273 as published on July 1, 2002.**

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|----------------------|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|                      |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |

PART 273-STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A-GENERAL

† SCOPE

|  |             |                |  |  |  |  |  |
|--|-------------|----------------|--|--|--|--|--|
| Part 273 establishes requirements for managing the listed universal wastes                           | 142 A       | 273.1(a) intro |  |  |  |  |  |
| batteries as described in 273.2  | 142 B       | 273.1(a)(1)    |  |  |  |  |  |
| 1 pesticides as described in 273.3   | 142 C, †181 | 273.1(a)(2)    |  |  |  |  |  |
| 1 thermostats as described in 273.4  | 142 D, †181 | 273.1(a)(3)    |  |  |  |  |  |
| 1 lamps as described in 273.5  | 181         | 273.1(a)(4)    |  |  |  |  |  |
| Part 273 provides an alternate set of management standards in lieu of regulation under Parts 260-272 | 142 A       | 273.1(b)       |  |  |  |  |  |

† APPLICABILITY - BATTERIES

|   |             |             |  |  |  |  |  |
|---|-------------|-------------|--|--|--|--|--|
| 1 requirements of Part 273 apply to persons managing 273.9 batteries, except those in 273.2(b) list | 142 B, †181 | 273.2(a)(1) |  |  |  |  |  |
| spent lead-acid batteries not managed under Part  | 142 B       | 273.2(a)(2) |  |  |  |  |  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 266, Subpart G are subject to management under Part 273   |                     |                       |                          |                  |                |                |                  |
| requirements of Part 273 do not apply to persons managing the following batteries:  | 142 B               | 273.2(b)              |                          |                  |                |                |                  |
| spent lead-acid batteries managed under Part 266, Subpart G   | 142 B               | 273.2(b)(1)           |                          |                  |                |                |                  |
| 1 batteries, as described in 273.9, that are not yet waste under Part 261, including those that do not meet the criteria for waste generation in 273.2(c)   | 142 B, †181         | 273.2(b)(2)           |                          |                  |                |                |                  |
| 1 batteries, as described in 273.9, that are not hazardous waste; a hazardous waste only if it exhibits one or more of the characteristics of a hazardous waste identified in Part 261, subpart C | 142 B, †181         | 273.2(b)(3)           |                          |                  |                |                |                  |
| a used battery becomes a waste on the date it is discarded  | 142 B               | 273.2(c)(1)           |                          |                  |                |                |                  |
| an unused battery becomes a waste on the date the handler decides to discard it   | 142 B               | 273.2(c)(2)           |                          |                  |                |                |                  |

† APPLICABILITY-PESTICIDES

|   |             |             |  |  |  |  |  |
|---|-------------|-------------|--|--|--|--|--|
| 1 Part 273 applies to persons managing 273.9 pesticides, except those in 273.3(b) | 142 C, †181 | 273.3(a)    |  |  |  |  |  |
| recalled pesticides that  | 142 C       | 273.3(a)(1) |  |  |  |  |  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| are:  |                     |                       |                          |                  |                |                |                  |
| stocks of suspended and cancelled pesticides as per FIFRA §19(b), including, but not limited to those owned by the registrant responsible for conducting the recall | 142 C               | 273.3(a)(1)(i)        |                          |                  |                |                |                  |
| stocks of suspended or cancelled pesticides, or pesticides not in compliance with FIFRA, that are part of a voluntary recall by the registrant                      | 142 C               | 273.3(a)(1)(ii)       |                          |                  |                |                |                  |
| stocks of other unused pesticide products collected and managed as part of a waste pesticide collection program   | 142 C               | 273.3(a)(2)           |                          |                  |                |                |                  |
| requirements of Part 273 do not apply to persons managing the following pesticides:   | 142 C               | 273.3(b)              |                          |                  |                |                |                  |
| recalled 273.3(a)(1)&(2) pesticides managed by farmers in compliance with 262.70  | 142 C               | 273.3(b)(1)           |                          |                  |                |                |                  |
| pesticides not meeting the 273.3(a) conditions; these pesticides must be managed in compliance with Parts 260 through 272   | 142 C               | 273.3(b)(2)           |                          |                  |                |                |                  |
| pesticides that are not wastes under Part 261, including those that do not meet the 273.3(c) criteria for waste   | 142 C               | 273.3(b)(3)           |                          |                  |                |                |                  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| generation or those that are not 273.3(d) wastes   |                     |                       |                          |                  |                |                |                  |
| pesticides that are not hazardous waste (i.e., is not listed nor exhibits a characteristic)                          | 142 C               | 273.3(b)(4)           |                          |                  |                |                |                  |
| a recalled 273.3(a)(1) pesticide becomes a waste on the first date on which both of the following conditions apply:  | 142 C               | 273.3(c)(1)           |                          |                  |                |                |                  |
| the generator of the recalled pesticide agrees to participate in the recall  | 142 C               | 273.3(c)(1)(i)        |                          |                  |                |                |                  |
| the person conducting the recall decides to discard (e.g., burn the pesticide for energy recovery)                   | 142 C               | 273.3(c)(1)(ii)       |                          |                  |                |                |                  |
| an unused pesticide product described in 273.3(a)(2) becomes a waste on the date the generator decides to discard it | 142 C               | 273.3(c)(2)           |                          |                  |                |                |                  |
| pesticides that are not wastes:  | 142 C               | 273.3(d)              |                          |                  |                |                |                  |
| recalled 273.3(a)(1) pesticides, provided that the person conducting the recall:                                     | 142 C               | 273.3(d)(1)           |                          |                  |                |                |                  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| has not made a decision to discard the pesticide; until decision is met, it does not meet the definition of "solid waste"; pesticide remains subject to FIFRA  | 142 C               | 273.3(d)(1)(i)        |                          |                  |                |                |                  |
| has made the decision to use a management option under 261.2 that does not cause the pesticide to be a solid waste and, therefore, not a hazardous waste; this pesticide, including a recalled pesticide exported to a foreign destination for reuse, remains subject to FIFRA | 142 C               | 273.3(d)(1)(ii)       |                          |                  |                |                |                  |
| unused pesticide products described in 273.3(a)(2), if the generator has not decided to discard them. These pesticides remain subject to FIFRA   | 142 C               | 273.3(d)(2)           |                          |                  |                |                |                  |

† APPLICABILITY-MERCURY THERMOSTATS

|   |                |             |  |  |  |  |  |
|---|----------------|-------------|--|--|--|--|--|
| 1 Part 273 applies to persons managing 273.9 thermostats, except those in 273.4(b)        | 142 D,<br>†181 | 273.4(a)    |  |  |  |  |  |
| requirements of Part 273 do not apply to persons managing the following thermostats:      | 142 D          | 273.4(b)    |  |  |  |  |  |
| thermostats not yet wastes under Part 261; 273.4(c) describes when a thermostat becomes a | 142 D          | 273.4(b)(1) |  |  |  |  |  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| waste   |                     |                       |                          |                  |                |                |                  |
| thermostats that are not hazardous waste (i.e., they do not exhibit a characteristic) | 142 D               | 273.4(b)(2)           |                          |                  |                |                |                  |
| a used thermostat becomes a waste on the date it is discarded                         | 142 D               | 273.4(c)(1)           |                          |                  |                |                |                  |
| an unused thermostat becomes a waste on the date handler decides to discard it        | 142 D               | 273.4(c)(2)           |                          |                  |                |                |                  |

† APPLICABILITY-LAMPS

|     |                                  |     |  |  |  |  |  |
|-----|----------------------------------|-----|--|--|--|--|--|
| 1,2 | lamps covered under part 273     | 181 | 273.5(a)                                     |  |  |  |  |
| 1   | lamps not covered under part 273 | 181 | 273.5(b) intro<br>273.5(b)(1)<br>273.5(b)(2) |  |  |  |  |
| 1   | generation of waste lamps        | 181 | 273.5(c) intro<br>273.5(c)(1)<br>273.5(c)(2) |  |  |  |  |
| 1,2 | reserved                         | 181 | 273.6 - 273.7                                |  |  |  |  |

† APPLICABILITY-HOUSEHOLD AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR WASTE

|     |  |                |             |  |  |  |  |
|-----|--|----------------|-------------|--|--|--|--|
| 1,2 | persons managing the wastes listed in 273.5(a)(1)&(2) may, at their option, manage them under Part 273 | 142 A,<br>†181 | 273.8(a)    |  |  |  |  |
| 1,2 | household wastes exempt under 261.4(b)(1) that are the same type as the 273.9 defined universal wastes | 142 A,<br>†181 | 273.8(a)(1) |  |  |  |  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

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|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 1,2 conditionally exempt small quantity generator wastes exempt under 261.5 that are the same type as the 273.9 defined universal hazardous wastes | 142 A, †181         | 273.8(a)(2)           |                          |                  |                |                |                  |
| 1,2 273.5(a)(1)&(2) wastes commingled with universal wastes are regulated under Part 273   | 142 A, †181         | 273.8(b)              |                          |                  |                |                |                  |
| †,1,2 DEFINITIONS  |                     |                       |                          |                  |                |                |                  |
| "battery"  | 142 B, †181         | 273.9                 |                          |                  |                |                |                  |
| "destination facility"   | 142 A, †181         | 273.9                 |                          |                  |                |                |                  |
| "FIFRA"  | 142 C, †181         | 273.9                 |                          |                  |                |                |                  |
| "generator"  | 142 A, †181         | 273.9                 |                          |                  |                |                |                  |
| "lamp"   | 181                 | 273.9                 |                          |                  |                |                |                  |
| "large quantity handler of universal waste"  | 142 A, †181         | 273.9                 |                          |                  |                |                |                  |
| "on-site"  | 142 A, †181         | 273.9                 |                          |                  |                |                |                  |
| "pesticide"  | 142 C, †181         | 273.9                 |                          |                  |                |                |                  |
|  |                     | 273.9(a)              |                          |                  |                |                |                  |
|  |                     | 273.9(b)              |                          |                  |                |                |                  |
|  |                     | 273.9(c)              |                          |                  |                |                |                  |
| 3 "small quantity handler of universal waste"  | 142 A, †176, †181   | 273.9                 |                          |                  |                |                |                  |
| "thermostat"   | 142 D, †181         | 273.9                 |                          |                  |                |                |                  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS                | CHECKLIST REFERENCE                          | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|-------------------------------------|--|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|                                     |  |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 4,5 "universal waste"               | 142 A,<br>142 B,<br>142 C,<br>142 D,<br>†181 | 273.9                 |                          |                  |                |                |                  |
|                                     |  | 273.9(1)              |                          |                  |                |                |                  |
|                                     |  | 273.9(2)              |                          |                  |                |                |                  |
|                                     |  | 273.9(3)              |                          |                  |                |                |                  |
|                                     | †181   | 273.9(4)              |                          |                  |                |                |                  |
| "universal waste handler"           | 142 A,<br>†181                               | 273.9                 |                          |                  |                |                |                  |
|                                     |  | 273.9(a)              |                          |                  |                |                |                  |
|                                     |  | 273.9(a)(1)           |                          |                  |                |                |                  |
|                                     |  | 273.9(a)(2)           |                          |                  |                |                |                  |
|                                     |  | 273.9(b)              |                          |                  |                |                |                  |
|                                     |  | 273.9(b)(1)           |                          |                  |                |                |                  |
| "universal waste transfer facility" | 142 A,<br>†181                               | 273.9                 |                          |                  |                |                |                  |
|                                     |  |                       |                          |                  |                |                |                  |
| "universal waste transporter"       | 142 A,<br>†181                               | 273.9                 |                          |                  |                |                |                  |

SUBPART B-STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE

† APPLICABILITY

|   |                |        |  |  |  |  |  |
|---|----------------|--------|--|--|--|--|--|
| 1 Part 273, Subpart B applies to small quantity handlers of universal waste | 142 A,<br>†181 | 273.10 |  |  |  |  |  |
|---|----------------|--------|--|--|--|--|--|

† PROHIBITIONS

|   |       |              |  |  |  |  |  |
|---|-------|--------------|--|--|--|--|--|
| a 273.6 small quantity handler of universal waste is: | 142 A | 273.11 intro |  |  |  |  |  |
| prohibited from disposing of universal waste          | 142 A | 273.11(a)    |  |  |  |  |  |
| prohibited from diluting or treating universal        | 142 A | 273.11(b)    |  |  |  |  |  |



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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS      | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---------------------------|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|                           |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| waste, except as provided |                     |                       |                          |                  |                |                |                  |

† NOTIFICATION

|   |       |        |  |  |  |  |  |
|---|-------|--------|--|--|--|--|--|
| a small quantity handler of a universal waste is not required to notify EPA | 142 A | 273.12 |  |  |  |  |  |
|---|-------|--------|--|--|--|--|--|

† WASTE MANAGEMENT

|   |       |                   |  |  |  |  |  |
|---|-------|-------------------|--|--|--|--|--|
| small quantity handlers of universal waste must manage waste batteries to prevent release   | 142 B | 273.13(a)         |  |  |  |  |  |
| contain any universal waste battery that shows evidence of leakage, spillage, or damage; container must be closed, structurally sound, compatible, and lack evidence of leakage, spillage or damage that could cause a leak | 142 B | 273.13(a)(1)      |  |  |  |  |  |
| activities that may be conducted as long as the casing of each battery is not breached and remains intact and closed, except for electrolyte removal  | 142 B | 273.13(a)(2)      |  |  |  |  |  |
| sorting batteries by type   | 142 B | 273.13(a)(2)(i)   |  |  |  |  |  |
| mixing batteries by type  | 142 B | 273.13(a)(2)(ii)  |  |  |  |  |  |
| discharging batteries so as to remove the electric charge   | 142 B | 273.13(a)(2)(iii) |  |  |  |  |  |
| regenerating used batteries   | 142 B | 273.13(a)(2)(iv)  |  |  |  |  |  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| disassembling batteries or battery packs into individual batteries or cells  | 142 B               | 273.13(a)(2)(v)       |                          |                  |                |                |                  |
| removing batteries from consumer products  | 142 B               | 273.13(a)(2)(vi)      |                          |                  |                |                |                  |
| removing electrolyte from batteries  | 142 B               | 273.13(a)(2)(vii)     |                          |                  |                |                |                  |
| resulting electrolyte and other solid wastes must be tested to determine if they exhibit a hazardous waste characteristic  | 142 B               | 273.13(a)(3)          |                          |                  |                |                |                  |
| if a characteristic is exhibited, the electrolyte and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste generator          | 142 B               | 273.13(a)(3)(i)       |                          |                  |                |                |                  |
| if not hazardous, then handler may manage the waste in any way that is in compliance with applicable Federal, State or local solid waste regulations                     | 142 B               | 273.13(a)(3)(ii)      |                          |                  |                |                |                  |
| small quantity handlers of universal waste must manage waste pesticides to prevent release; universal waste pesticide must be contained in one or more of the following: | 142 C               | 273.13(b)             |                          |                  |                |                |                  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| a container that remains closed, structurally sound, compatible with the pesticide, and lacks evidence of leakage, spillage, or damage that could cause a leak                   | 142 C               | 273.13(b)(1)          |                          |                  |                |                |                  |
| a container that does not meet the requirements of 273.13(b)(1), provided that the unacceptable container is overpacked in a container that meets the 273.13(b)(1) requirements  | 142 C               | 273.13(b)(2)          |                          |                  |                |                |                  |
| a tank meeting the Part 265, Subpart J requirements (except for 265.197(c), 265.200 and 265.201)   | 142 C               | 273.13(b)(3)          |                          |                  |                |                |                  |
| a transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause a leak | 142 C               | 273.13(b)(4)          |                          |                  |                |                |                  |
| small quantity handler must manage universal waste thermostats to prevent releases   | 142 D               | 273.13(c)             |                          |                  |                |                |                  |

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| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| contain any universal waste thermostat that shows evidence of leakage, spillage, or damage; container must be closed, structurally sound, compatible, and lack evidence of leakage, spillage or damage that could cause a leak | 142 D               | 273.13(c)(1)          |                          |                  |                |                |                  |
| a small quantity handler of universal waste may remove mercury-constraining ampules from universal waste thermostats provided the handler:   | 142 D               | 273.13(c)(2)          |                          |                  |                |                |                  |
| removes the ampules in a manner designed to prevent breakage of the ampules  | 142 D               | 273.13(c)(2)(i)       |                          |                  |                |                |                  |
| removes ampules only over or in a containment device   | 142 D               | 273.13(c)(2)(ii)      |                          |                  |                |                |                  |
| ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets 262.34 requirements  | 142 D               | 273.13(c)(2)(iii)     |                          |                  |                |                |                  |
| immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets 262.34 requirements   | 142 D               | 273.13(c)(2)(iv)      |                          |                  |                |                |                  |

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|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| ensures that the area where ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA mercury exposure levels                             | 142 D               | 273.13(c)(2)(v)       |                          |                  |                |                |                  |
| ensures that employees are thoroughly familiar with mercury handling and emergency procedures including transfer of mercury from containment devices to appropriate containers | 142 D               | 273.13(c)(2)(vi)      |                          |                  |                |                |                  |
| 6 stores removed ampules in closed, non-leaking containers that are in good condition; and   | 142 D               | 273.13(c)(2)(vii)     |                          |                  |                |                |                  |
| 6 packs removed ampules in the container with packing materials adequate to prevent breakage   | 142 D               | 273.13(c)(2)(viii)    |                          |                  |                |                |                  |
| a small quantity handler who removes mercury-containing ampules from thermostats must determine whether the following exhibit a hazardous waste characteristic                 | 142 D               | 273.13(c)(3)(i)       |                          |                  |                |                |                  |
| mercury or clean-up residues resulting from spills or leaks; and/or  | 142 D               | 273.13(c)(3)(i)(A)    |                          |                  |                |                |                  |
| other solid waste generated as result of removing mercury-containing ampules   | 142 D               | 273.13(c)(3)(i)(B)    |                          |                  |                |                |                  |
| if a characteristic is exhibited, the mercury,   | 142 D               | 273.13(c)(3)(ii)      |                          |                  |                |                |                  |

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| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| residues and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste generator   |                     |                       |                          |                  |                |                |                  |
| if not hazardous, then handler may manage the mercury, residues and/or solid waste in any way that is in compliance with applicable Federal, State or local solid waste regulations  | 142 D               | 273.13(c)(3)(iii)     |                          |                  |                |                |                  |
| 1 small quantity handlers must manage lamps to prevent releases  | 181                 | 273.13(d)             |                          |                  |                |                |                  |
| 1 lamp must be in containers that are structurally sound, adequate to prevent breakage & compatible; containers must remain closed & lack evidence of leakage, spillage or damage that could cause leakage   | 181                 | 273.13(d)(1)          |                          |                  |                |                |                  |
| 1 immediately clean up & place in a container any broken lamp or lamp with evidence of breakage, leakage, or damage that could cause a leak; containers must be closed, structurally sound, compatible, & lack evidence of leakage, spillage or damage that could cause a leak | 181                 | 273.13(d)(2)          |                          |                  |                |                |                  |
| † LABELING/MARKING   |                     |                       |                          |                  |                |                |                  |
| a small quantity handler   | 142 A               | 273.14 intro          |                          |                  |                |                |                  |

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40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| of universal waste must label or mark the universal waste to identify the type of universal waste as specified in 273.14(a) through (d)  |                     |                       |                          |                  |                |                |                  |
| each battery, or a container in which the batteries are contained, must be labeled or marked clearly with "Universal Waste--Battery(ies)" or "Waste Battery(ies)" or "Used Battery(ies)" | 142 B               | 273.14(a)             |                          |                  |                |                |                  |
| for recalled 273.3(a)(1) pesticides, the container (or multiple container package unit), tank, transport vehicle or vessel must be labeled/marked with:                                  | 142 C               | 273.14(b)             |                          |                  |                |                |                  |
| the label that was on or accompanied the product as sold or distributed  | 142 C               | 273.14(b)(1)          |                          |                  |                |                |                  |
| the words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"   | 142 C               | 273.14(b)(2)          |                          |                  |                |                |                  |
| for unused 273.3(a)(2) pesticides, the container, tank or transport vehicle or vessel must be labeled/marked with:   | 142 C               | 273.14(c)             |                          |                  |                |                |                  |
| the label that was on the product when purchased, if still legible   | 142 C               | 273.14(c)(1)(i)       |                          |                  |                |                |                  |
| if 273.14(c)(1)(i) labeling not feasible, then the appropriate label as required under   | 142 C               | 273.14(c)(1)(ii)      |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 49 CFR Part 172  |                     |                       |                          |                  |                |                |                  |
| if 273.14(c)(1)(i) or (ii) labeling not feasible, then another label prescribed or designated by the waste pesticide collection program administered or recognized by a State  | 142 C               | 273.14(c)(1)(iii)     |                          |                  |                |                |                  |
| the words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"   | 142 C               | 273.14(c)(2)          |                          |                  |                |                |                  |
| universal waste thermostats, or a container in which the thermostats are contained, must be labeled or marked clearly with "Universal Waste--Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)" | 142 D               | 273.14(d)             |                          |                  |                |                |                  |
| 1 each lamp or container in which lamps are contained must be clearly labeled or marked with "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"  | 181                 | 273.14(e)             |                          |                  |                |                |                  |
| † ACCUMULATION TIME LIMITS   |                     |                       |                          |                  |                |                |                  |
| one year accumulation period for small quantity handlers unless 273.15(b) requirements are met   | 142 A               | 273.15(a)             |                          |                  |                |                |                  |
| an accumulation period longer than one year is allowed if activity is  | 142 A               | 273.15(b)             |                          |                  |                |                |                  |



CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| solely for the purpose of accumulating such quantities of universal wastes as necessary for proper recovery, treatment, or disposal; handler bears burden of proof  |                     |                       |                          |                  |                |                |                  |
| small quantity handlers must be able to demonstrate the length of time the universal waste has been accumulated; this demonstration is made by:   | 142 A               | 273.15(c)             |                          |                  |                |                |                  |
| placing the universal waste in a container and marking or labeling with the earliest date that any universal waste in the container became a waste or was received  | 142 A               | 273.15(c)(1)          |                          |                  |                |                |                  |
| marking or labeling each individual item of universal waste with date it became a waste or was received   | 142 A               | 273.15(c)(2)          |                          |                  |                |                |                  |
| maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received  | 142 A               | 273.15(c)(3)          |                          |                  |                |                |                  |
| maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or group of containers of universal waste became a waste or was received | 142 A               | 273.15(c)(4)          |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| placing universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received  | 142 A               | 273.15(c)(5)          |                          |                  |                |                |                  |
| any method clearly demonstrating the length of time that the universal waste has been accumulated  | 142 A               | 273.15(c)(6)          |                          |                  |                |                |                  |
| † EMPLOYEE TRAINING  |                     |                       |                          |                  |                |                |                  |
| small quantity handler employees who handle or are responsible for managing universal wastes must be informed of the proper handling and emergency procedures for the universal waste(s) handled   | 142 A               | 273.16                |                          |                  |                |                |                  |
| † RESPONSE TO RELEASES   |                     |                       |                          |                  |                |                |                  |
| a small quantity handler must immediately contain all releases of universal waste and other residues from universal wastes   | 142 A               | 273.17(a)             |                          |                  |                |                |                  |
| determine if material resulting from a release is hazardous waste and manage it in compliance with all applicable Part 260 through 272 requirements; the handler is considered the generator and must be managed in compliance with Part 262 | 142 A               | 273.17(b)             |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| <b>† OFF-SITE SHIPMENTS</b>   |                     |                       |                          |                  |                |                |                  |
| small quantity handlers are prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination   | 142 A               | 273.18(a)             |                          |                  |                |                |                  |
| when small quantity handler transports off-site, the handler becomes a universal waste transporter subject to the Part 273, Subpart D requirements while transporting the universal waste                                       | 142 A               | 273.18(b)             |                          |                  |                |                |                  |
| if the universal waste being transported off-site meets 49 CFR Parts 171-180 definition of hazardous materials, small quantity handlers must follow DOT requirements for packaging, labeling, marking, placarding, and tracking | 142 A               | 273.18(c)             |                          |                  |                |                |                  |
| prior to shipment from the originating handler, the receiving handler must agree to receive the shipment  | 142 A               | 273.18(d)             |                          |                  |                |                |                  |
| if the receiving handler rejects the shipment, the originating handler must either:   | 142 A               | 273.18(e)             |                          |                  |                |                |                  |
| receive the waste back when notified that the shipment has been   | 142 A               | 273.18(e)(1)          |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| rejected, or   |                     |                       |                          |                  |                |                |                  |
| agree with the receiving handler on a destination facility to which the shipment will be sent  | 142 A               | 273.18(e)(2)          |                          |                  |                |                |                  |
| a small quantity handler can reject a universal waste shipment or a portion of a shipment; if rejected, the handler must notify the originating handler and either:  | 142 A               | 273.18(f)             |                          |                  |                |                |                  |
| send the shipment back to the originating handler, or  | 142 A               | 273.18(f)(1)          |                          |                  |                |                |                  |
| if agreed to by both the originating and receiving handler, send the shipment to a destination facility  | 142 A               | 273.18(f)(2)          |                          |                  |                |                |                  |
| if small quantity handler receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify EPA of the illegal shipment and provide the name, address, and phone number of the originating shipper; EPA will provide instructions for managing the hazardous waste | 142 A               | 273.18(g)             |                          |                  |                |                |                  |
| if a small quantity handler receives a non-hazardous, non-universal waste shipment, the handler may manage the   | 142 A               | 273.18(h)             |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| waste in any way that is in compliance with applicable Federal, State or local solid waste regulations |                     |                       |                          |                  |                |                |                  |

† TRACKING UNIVERSAL WASTE SHIPMENTS

|   |       |        |  |  |  |  |  |
|---|-------|--------|--|--|--|--|--|
| small quantity handlers are not required to keep records of universal waste shipments | 142 A | 273.19 |  |  |  |  |  |
|---|-------|--------|--|--|--|--|--|

† EXPORTS

|  |                |              |  |  |  |  |  |
|--|----------------|--------------|--|--|--|--|--|
| a small quantity handler who sends universal waste to a foreign destination, other than to OECD countries in 262.58(a)(1), must: | 142 A,<br>†152 | 273.20 intro |  |  |  |  |  |
| comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements                                | 142 A          | 273.20(a)    |  |  |  |  |  |
| 7 export only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent                    | 142 A          | 273.20(b)    |  |  |  |  |  |
| 7 provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export   | 142 A          | 273.20(c)    |  |  |  |  |  |

SUBPART C-STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE

† APPLICABILITY

|   |                |        |  |  |  |  |  |
|---|----------------|--------|--|--|--|--|--|
| 1 Part 273, Subpart C applies to large quantity | 142 A,<br>†181 | 273.30 |  |  |  |  |  |
|---|----------------|--------|--|--|--|--|--|

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS        | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|-----------------------------|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|                             |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| handlers of universal waste |                     |                       |                          |                  |                |                |                  |

† PROHIBITIONS

|  |       |              |  |  |  |  |  |
|--|-------|--------------|--|--|--|--|--|
| a large quantity handler of universal waste is:  | 142 A | 273.31 intro |  |  |  |  |  |
| prohibited from disposing of universal waste; and  | 142 A | 273.31(a)    |  |  |  |  |  |
| prohibited from diluting or treating universal waste, except by responding to releases as per 273.37 or by managing a specific waste as provided in 273.33 | 142 A | 273.31(b)    |  |  |  |  |  |

† NOTIFICATION

|   |                |              |  |  |  |  |  |
|---|----------------|--------------|--|--|--|--|--|
| except as provided in 273.32(a)(2)&(3), a large quantity handler must have sent written notification of universal waste management to the Regional Administrator and received an EPA identification number before meeting or exceeding the 5,000 kg storage limit | 142 A<br>142 C | 273.32(a)(1) |  |  |  |  |  |
| a large quantity handler who has already notified EPA of hazardous waste activities and has an EPA identification number, is not required to re-notify  | 142 A          | 273.32(a)(2) |  |  |  |  |  |
| a large quantity handler of 273.3(a)(1) recalled pesticides who has sent EPA notification as per  | 142 C          | 273.32(a)(3) |  |  |  |  |  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 40 CFR 165 is not required to notify under 273.32 for those recalled universal wastes   |                     |                       |                          |                  |                |                |                  |
| what the notification must include:   | 142 A               | 273.32(b)             |                          |                  |                |                |                  |
| the universal waste handler's name and mailing address  | 142 A               | 273.32(b)(1)          |                          |                  |                |                |                  |
| the name and business telephone number of the person at the universal waste handler's site who should be contacted                                      | 142 A               | 273.32(b)(2)          |                          |                  |                |                |                  |
| the address or physical location of the universal waste management activities   | 142 A               | 273.32(b)(3)          |                          |                  |                |                |                  |
| 1 a list of all the types of universal waste managed by the handler   | 142 A, †181         | 273.32(b)(4)          |                          |                  |                |                |                  |
| 1 a statement that the handler is accumulating more than 5,000 kg of universal waste at one time and the type of waste accumulating above this quantity | 142 A, †181         | 273.32(b)(5)          |                          |                  |                |                |                  |
| † WASTE MANAGEMENT  |                     |                       |                          |                  |                |                |                  |
| large quantity handlers of universal waste must manage waste batteries to prevent release   | 142 B               | 273.33(a)             |                          |                  |                |                |                  |
| contain any universal waste battery that shows evidence of leakage, spillage, or damage; container must be closed, structurally sound,                  | 142 B               | 273.33(a)(1)          |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| compatible, and lack evidence of leakage, spillage or damage that could cause a leak  |                     |                       |                          |                  |                |                |                  |
| activities that may be conducted as long as the casing of each battery is not breached and remains intact and closed, except for electrolyte removal: | 142 B               | 273.33(a)(2)          |                          |                  |                |                |                  |
| sorting batteries by type   | 142 B               | 273.33(a)(2)(i)       |                          |                  |                |                |                  |
| mixing batteries by type  | 142 B               | 273.33(a)(2)(ii)      |                          |                  |                |                |                  |
| discharging batteries so as to remove the electric charge   | 142 B               | 273.33(a)(2)(iii)     |                          |                  |                |                |                  |
| regenerating used batteries   | 142 B               | 273.33(a)(2)(iv)      |                          |                  |                |                |                  |
| disassembling batteries or battery packs into individual batteries or cells   | 142 B               | 273.33(a)(2)(v)       |                          |                  |                |                |                  |
| removing batteries from consumer products   | 142 B               | 273.33(a)(2)(vi)      |                          |                  |                |                |                  |
| removing electrolyte from batteries   | 142 B               | 273.33(a)(2)(vii)     |                          |                  |                |                |                  |
| resulting electrolyte and other solid wastes must be tested to determine if they exhibit a hazardous waste characteristic                             | 142 B               | 273.33(a)(3)          |                          |                  |                |                |                  |
| if a characteristic is exhibited, the electrolyte and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste | 142 B               | 273.33(a)(3)(i)       |                          |                  |                |                |                  |



CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| generator   |                     |                       |                          |                  |                |                |                  |
| if not hazardous, then handler may manage the waste in any way that is in compliance with applicable Federal, State or local solid waste regulations                            | 142 B               | 273.33(a)(3)(ii)      |                          |                  |                |                |                  |
| large quantity handlers of universal waste must manage waste pesticides to prevent release; universal waste pesticide must be contained in one or more of the following:        | 142 C               | 273.33(b)             |                          |                  |                |                |                  |
| a container that remains closed, structurally sound, compatible with the pesticide, and lacks evidence of leakage, spillage, or damage that could cause a leak                  | 142 C               | 273.33(b)(1)          |                          |                  |                |                |                  |
| a container that does not meet the requirements of 273.33(b)(1), provided that the unacceptable container is overpacked in a container that meets the 273.33(b)(1) requirements | 142 C               | 273.33(b)(2)          |                          |                  |                |                |                  |
| a tank meeting the Part 265, Subpart J requirements (except for 265.197(c), 265.200 and 265.201); or  | 142 C               | 273.33(b)(3)          |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| a transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause a leak  | 142 C               | 273.33(b)(4)          |                          |                  |                |                |                  |
| large quantity handler must manage universal waste thermostats to prevent releases  | 142 D               | 273.33(c)             |                          |                  |                |                |                  |
| contain any universal waste thermostat that show evidence of leakage, spillage, or damage; container must be closed, structurally sound, compatible, and lack evidence of leakage, spillage or damage that could cause a leak | 142 D               | 273.33(c)(1)          |                          |                  |                |                |                  |
| a large quantity handler of universal waste may remove mercury-constraining ampules from universal waste thermostats provided the handler:  | 142 D               | 273.33(c)(2)          |                          |                  |                |                |                  |
| removes the ampules in a manner designed to prevent breakage of the ampules   | 142 D               | 273.33(c)(2)(i)       |                          |                  |                |                |                  |
| removes ampules only over or in a containment device  | 142 D               | 273.33(c)(2)(ii)      |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets 262.34 requirements | 142 D               | 273.33(c)(2)(iii)     |                          |                  |                |                |                  |
| immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets 262.34 requirements  | 142 D               | 273.33(c)(2)(iv)      |                          |                  |                |                |                  |
| ensures that the area where ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA mercury exposure levels  | 142 D               | 273.33(c)(2)(v)       |                          |                  |                |                |                  |
| ensures that employees are thoroughly familiar with mercury handling and emergency procedures including transfer of mercury from containment devices to appropriate containers  | 142 D               | 273.33(c)(2)(vi)      |                          |                  |                |                |                  |
| 8 stores removed ampules in closed, non-leaking containers that are in good condition; and  | 142 D               | 273.33(c)(2)(vii)     |                          |                  |                |                |                  |
| 8 packs removed ampules in the container with packing materials adequate to prevent breakage  | 142 D               | 273.33(c)(2)(viii)    |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| a large quantity handler who removes mercury-containing ampules from thermostats must determine whether the following exhibit a hazardous waste characteristic                      | 142 D               | 273.33(c)(3)(i)       |                          |                  |                |                |                  |
| mercury or clean-up residues resulting from spills or leaks   | 142 D               | 273.33(c)(3)(i)(A)    |                          |                  |                |                |                  |
| other solid waste generated as result of removing mercury-containing ampules  | 142 D               | 273.33(c)(3)(i)(B)    |                          |                  |                |                |                  |
| if a characteristic is exhibited, the mercury, residues and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste generator               | 142 D               | 273.33(c)(3)(ii)      |                          |                  |                |                |                  |
| if not hazardous, then handler may manage the mercury, residues and/or solid waste in any way that is in compliance with applicable Federal, State or local solid waste regulations | 142 D               | 273.33(c)(3)(iii)     |                          |                  |                |                |                  |
| 1 large quantity handlers of universal waste must manage lamps to prevent releases  | 181                 | 273.33(d)             |                          |                  |                |                |                  |
| 1 lamp must be in containers that are structurally sound, adequate to prevent breakage & compatible; containers must remain   | 181                 | 273.33(d)(1)          |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| closed & lack evidence of leakage, spillage or damage that could cause leakage   |                     |                       |                          |                  |                |                |                  |
| 1 immediately clean up & place in a container any broken lamp or lamp with evidence of breakage, leakage, or damage that could cause a leak; containers must be closed, structurally sound, compatible, & lack evidence of leakage, spillage or damage that could cause a leak | 181                 | 273.33(d)(2)          |                          |                  |                |                |                  |

† LABELING/MARKING

|  |       |              |  |  |  |  |  |
|--|-------|--------------|--|--|--|--|--|
| a large quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified in 273.34(a) through (d)                                 | 142 A | 273.34 intro |  |  |  |  |  |
| each battery, or a container or tank in which the batteries are contained, must be labeled or marked clearly with "Universal Waste--Battery(ies)" or "Waste Battery(ies)" or "Used Battery(ies)" | 142 B | 273.34(a)    |  |  |  |  |  |
| for recalled 273.3(a)(1) pesticides, the container (or multiple container package unit), tank, transport vehicle or vessel must be labeled/marked with:  | 142 C | 273.34(b)    |  |  |  |  |  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| the label that was on or accompanied the product as sold or distributed  | 142 C               | 273.34(b)(1)          |                          |                  |                |                |                  |
| the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)"   | 142 C               | 273.34(b)(2)          |                          |                  |                |                |                  |
| for unused 273.3(a)(2) pesticides, the container, tank or transport vehicle or vessel must be labeled/marked with:   | 142 C               | 273.34(c)             |                          |                  |                |                |                  |
| the label that was on the product when purchased, if still legible   | 142 C               | 273.34(c)(1)(i)       |                          |                  |                |                |                  |
| if 273.34(c)(1)(i) labeling not feasible, then the appropriate label as required under 49 CFR Part 172   | 142 C               | 273.34(c)(1)(ii)      |                          |                  |                |                |                  |
| if 273.34(c)(1)(i) or (ii) labeling not feasible, then another label prescribed or designed by the pesticide collection program  | 142 C               | 273.34(c)(1)(iii)     |                          |                  |                |                |                  |
| the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)"   | 142 C               | 273.34(c)(2)          |                          |                  |                |                |                  |
| universal waste thermostats or container or tank in which the thermostats are contained must be labeled or marked clearly with "Universal Waste--Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)" | 142 D               | 273.34(d)             |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 1 each lamp or container in which lamps are contained must be clearly labeled or marked with "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"  | 181                 | 273.34(e)             |                          |                  |                |                |                  |
| † ACCUMULATION TIME LIMITS   |                     |                       |                          |                  |                |                |                  |
| one year accumulation period for large quantity handlers, unless 273.35(b) requirements are met  | 142 A               | 273.35(a)             |                          |                  |                |                |                  |
| an accumulation period longer than one year is allowed if activity is solely for the purpose of accumulating such quantities of universal wastes as necessary for proper recovery, treatment, or disposal; handler bears burden of proof | 142 A               | 273.35(b)             |                          |                  |                |                |                  |
| large quantity handlers must be able to demonstrate the length of time the universal waste has been accumulated; this demonstration is made by:  | 142 A               | 273.35(c)             |                          |                  |                |                |                  |
| placing the universal waste in a container and marking or labeling with the earliest date that any universal waste in the container became a waste or was received   | 142 A               | 273.35(c)(1)          |                          |                  |                |                |                  |
| marking or labeling the  | 142 A               | 273.35(c)(2)          |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| individual item of universal waste with the date it became a waste or was received   |                     |                       |                          |                  |                |                |                  |
| maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received  | 142 A               | 273.35(c)(3)          |                          |                  |                |                |                  |
| maintaining an inventory system on-site that identifies that earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received | 142 A               | 273.35(c)(4)          |                          |                  |                |                |                  |
| placing universal waste in a specific accumulation area and identifying the earliest date that any universal waste in area became a waste or was received  | 142 A               | 273.35(c)(5)          |                          |                  |                |                |                  |
| any other method clearly demonstrating the length of time that the universal waste has been accumulated from the date becomes a waste or is received   | 142 A               | 273.35(c)(6)          |                          |                  |                |                |                  |

† EMPLOYEE TRAINING

|  |       |        |  |  |  |  |  |
|--|-------|--------|--|--|--|--|--|
| large quantity handlers must ensure that employees are thoroughly familiar with proper waste handling and emergency procedures | 142 A | 273.36 |  |  |  |  |  |
|--|-------|--------|--|--|--|--|--|

† RESPONSE TO RELEASES



CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| a large quantity handler must immediately contain all releases of universal waste and other residues from universal wastes   | 142 A               | 273.37(a)             |                          |                  |                |                |                  |
| determine whether material resulting from the release is hazardous waste; if so, manage it in compliance with all applicable Part 260 through 272 requirements; the handler is considered the generator and subject to the Part 262 requirements | 142 A               | 273.37(b)             |                          |                  |                |                |                  |

† OFF-SITE SHIPMENTS

|  |       |           |  |  |  |  |  |
|--|-------|-----------|--|--|--|--|--|
| large quantity handlers are prohibited from sending or taking universal waste to a place other than to another universal waste handler, a destination facility, or a foreign destination | 142 A | 273.38(a) |  |  |  |  |  |
| when a large quantity handler transports off-site, the handler becomes a universal waste transporter subject to the Part 273, Subpart D requirements while transporting the waste        | 142 A | 273.38(b) |  |  |  |  |  |
| if the universal waste being transported off-site meets 49 CFR Parts 171-180 definition of hazardous materials,  | 142 A | 273.38(c) |  |  |  |  |  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| large quantity handlers must follow DOT requirements for packaging, labeling, marking, placarding, and tracking   |                     |                       |                          |                  |                |                |                  |
| prior to shipment from the originating handler, the receiving handler must agree to receipt of shipment   | 142 A               | 273.38(d)             |                          |                  |                |                |                  |
| if the receiving handler rejects the shipment, the originating handler must either:   | 142 A               | 273.38(e)             |                          |                  |                |                |                  |
| receive the waste back when notified that the shipment has been rejected, or  | 142 A               | 273.38(e)(1)          |                          |                  |                |                |                  |
| agree with the receiving handler on a destination facility to which the shipment will be sent   | 142 A               | 273.38(e)(2)          |                          |                  |                |                |                  |
| a large quantity handler can reject a universal waste shipment or a portion of a shipment; if rejected, the handler must notify the originating handler and either: | 142 A               | 273.38(f)             |                          |                  |                |                |                  |
| send the shipment back to the originating handler, or   | 142 A               | 273.38(f)(1)          |                          |                  |                |                |                  |
| if agreed to by both the originating and receiving handler, send the shipment to a destination facility   | 142 A               | 273.38(f)(2)          |                          |                  |                |                |                  |
| if large quantity handler   | 142 A               | 273.38(g)             |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify EPA of the illegal shipment and provide the name, address, and phone number of the originating shipper; EPA will provide instructions for managing hazardous the waste |                     |                       |                          |                  |                |                |                  |
| if a large quantity handler receives a non-hazardous, non-universal waste shipment, the handler may manage the waste in any way that is in compliance with applicable Federal, State or local solid waste regulations  | 142 A               | 273.38(h)             |                          |                  |                |                |                  |

† TRACKING UNIVERSAL WASTE SHIPMENTS

|   |       |              |  |  |  |  |  |
|---|-------|--------------|--|--|--|--|--|
| large quantity handlers must keep a record of each universal waste shipment received; what form the record can take; the record must include: | 142 A | 273.39(a)    |  |  |  |  |  |
| name and address of originating handler or foreign shipper  | 142 A | 273.39(a)(1) |  |  |  |  |  |
| quantity of each type of universal waste received   | 142 A | 273.39(a)(2) |  |  |  |  |  |
| the date the shipment was received  | 142 A | 273.39(a)(3) |  |  |  |  |  |
| large quantity handlers must keep a record of each universal waste  | 142 A | 273.39(b)    |  |  |  |  |  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| shipment sent from the handler to other facilities; what form the record can take; the record must include:                        |                     |                       |                          |                  |                |                |                  |
| name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent | 142 A               | 273.39(b)(1)          |                          |                  |                |                |                  |
| quantity of each universal waste type sent   | 142 A               | 273.39(b)(2)          |                          |                  |                |                |                  |
| the date the shipment left the facility  | 142 A               | 273.39(b)(3)          |                          |                  |                |                |                  |
| large quantity handlers must retain the 273.39(a) records for at least 3 years from the date of receipt of a shipment              | 142 A               | 273.39(c)(1)          |                          |                  |                |                |                  |
| large quantity handlers must retain the 273.39(b) records for at least 3 years from the date a shipment left the facility          | 142 A               | 273.39(c)(2)          |                          |                  |                |                |                  |

† EXPORTS

|  |                |              |  |  |  |  |  |
|--|----------------|--------------|--|--|--|--|--|
| a large quantity handler who sends universal waste to a foreign destination, other than to OECD countries in 262.58(a)(1), must: | 142 A,<br>†152 | 273.40 intro |  |  |  |  |  |
| comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements                                | 142 A          | 273.40(a)    |  |  |  |  |  |
| 7 export only upon consent of the receiving  | 142 A          | 273.40(b)    |  |  |  |  |  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| country and in conformance with the EPA Acknowledgment of Consent as defined in 262, Subpart E                                 |                     |                       |                          |                  |                |                |                  |
| 7 provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export | 142 A               | 273.40(c)             |                          |                  |                |                |                  |

**SUBPART D-STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS**

† **APPLICABILITY**

|   |             |        |  |  |  |  |  |
|---|-------------|--------|--|--|--|--|--|
| 1 Part 273, Subpart D applies to universal waste transporters | 142 A, †181 | 273.50 |  |  |  |  |  |
|---|-------------|--------|--|--|--|--|--|

† **PROHIBITIONS**

|   |       |              |  |  |  |  |  |
|---|-------|--------------|--|--|--|--|--|
| a universal waste transporter is:   | 142 A | 273.51 intro |  |  |  |  |  |
| prohibited from disposing of universal waste  | 142 A | 273.51(a)    |  |  |  |  |  |
| prohibited from diluting or treating universal waste, except by responding to releases as 273.54 provides | 142 A | 273.51(b)    |  |  |  |  |  |

† **WASTE MANAGEMENT**

|  |       |           |  |  |  |  |  |
|--|-------|-----------|--|--|--|--|--|
| universal waste transporters must comply with applicable 49 CFR Parts 171-180 DOT requirements for transport of any universal waste that meets the definition of hazardous material at 49 CFR 171.8; under the | 142 A | 273.52(a) |  |  |  |  |  |
|--|-------|-----------|--|--|--|--|--|

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| DOT regulations, a material is a hazardous waste if it is subject to the Part 262 hazardous waste manifest requirements; because universal waste does not require a hazardous waste manifest, it is not considered a hazardous waste under the DOT regulations   |                     |                       |                          |                  |                |                |                  |
| those universal wastes meeting the criteria for one or more hazard classes specified at 49 CFR 173.2 are regulated by DOT as hazardous materials; because universal waste shipments do not require a Part 262 manifest, they may not be described by the DOT proper shipping name "hazardous waste,(l) or (s), n.o.s.", nor may the hazardous material's proper shipping name be modified by adding the word "waste" | 142 A               | 273.52(b)             |                          |                  |                |                |                  |

† STORAGE TIME LIMITS

|  |       |           |  |  |  |  |  |
|--|-------|-----------|--|--|--|--|--|
| universal waste transporters may store universal wastes at a universal waste transfer facility for 10 days or less | 142 A | 273.53(a) |  |  |  |  |  |
| if waste is stored longer than 10 days, the transporter becomes a universal waste handler and must comply with     | 142 A | 273.53(b) |  |  |  |  |  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS                     | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| Part 273, Subparts B or C, as applicable |                     |                       |                          |                  |                |                |                  |

† RESPONSE TO RELEASES

|   |       |           |  |  |  |  |  |
|---|-------|-----------|--|--|--|--|--|
| a universal waste transporter must immediately contain all releases of universal wastes and other residues from universal wastes  | 142 A | 273.54(a) |  |  |  |  |  |
| a universal waste transporter must determine whether material resulting from release is hazardous and subject to Parts 260-272; if the waste is hazardous, the transporter is subject to Part 262 | 142 A | 273.54(b) |  |  |  |  |  |

† OFF-SITE SHIPMENTS

|   |       |           |  |  |  |  |  |
|---|-------|-----------|--|--|--|--|--|
| universal waste transporters are prohibited from transporting universal waste to a place other than a universal waste handler, a destination facility or a foreign destination      | 142 A | 273.55(a) |  |  |  |  |  |
| if universal waste meets DOT's definition of hazardous materials under 49 CFR 171.8, the shipment must be properly described on a shipping paper in accordance with 49 CFR Part 172 | 142 A | 273.55(b) |  |  |  |  |  |

† EXPORTS

|                     |        |              |  |  |  |  |  |
|---------------------|--------|--------------|--|--|--|--|--|
| 7 a universal waste | 142 A, | 273.56 intro |  |  |  |  |  |
|---------------------|--------|--------------|--|--|--|--|--|

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| transporter may not accept shipment to a foreign destination, other than to OECD countries in 262.58(a)(1), if it is known that the shipment does not conform with the EPA Acknowledgment of Consent; the transporter must also ensure: | †152                |                       |                          |                  |                |                |                  |
| 7 a copy of the EPA Acknowledgment of Consent accompanies the shipment  | 142 A               | 273.56(a)             |                          |                  |                |                |                  |
| the shipment is delivered to the facility designated by the person initiating the shipment  | 142 A               | 273.56(b)             |                          |                  |                |                |                  |

**SUBPART E-STANDARDS FOR DESTINATION FACILITIES**

† **APPLICABILITY**

|   |                |           |  |  |  |  |  |
|---|----------------|-----------|--|--|--|--|--|
| 1 owner/operator of a destination facility is subject to all applicable requirements of Parts 264, 265, 266, 268, 270, and 124 and the RCRA §3010 notification requirements | 142 A,<br>†181 | 273.60(a) |  |  |  |  |  |
| owner/operator of a destination facility who recycles without storing that universal waste must comply with 261.6(c)(2)   | 142 A          | 273.60(b) |  |  |  |  |  |

† **OFF-SITE SHIPMENTS**

|   |       |           |  |  |  |  |  |
|---|-------|-----------|--|--|--|--|--|
| owner/operator of a destination facility is prohibited from sending or taking universal waste | 142 A | 273.61(a) |  |  |  |  |  |
|---|-------|-----------|--|--|--|--|--|



CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| to a place other than a universal waste handler, another destination facility or a foreign destination  |                     |                       |                          |                  |                |                |                  |
| owner/operator of a destination facility may reject a universal waste shipment or a portion of a shipment; if rejected, the owner/operator must notify the shipper and either:  | 142 A               | 273.61(b)             |                          |                  |                |                |                  |
| send shipment back to the original shipper, or  | 142 A               | 273.61(b)(1)          |                          |                  |                |                |                  |
| if agreed by both the shipper and the owner/operator, the shipment is sent to another destination facility  | 142 A               | 273.61(b)(2)          |                          |                  |                |                |                  |
| if the owner/operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, owner/operator must immediately notify EPA of the illegal shipment and provide the name, address, and phone number of the originating shipper; EPA will provide instructions for managing the hazardous waste | 142 A               | 273.61(c)             |                          |                  |                |                |                  |
| if non-hazardous, non-universal waste is received, the owner/operator may manage the waste in any   | 142 A               | 273.61(d)             |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| that is in compliance with applicable Federal or State solid waste regulations |                     |                       |                          |                  |                |                |                  |

† TRACKING UNIVERSAL WASTE SHIPMENTS

|  |       |              |  |  |  |  |  |
|--|-------|--------------|--|--|--|--|--|
| owner/operator of a destination facility must keep a record of each shipment received; what form the record may take; the record should include: | 142 A | 273.62(a)    |  |  |  |  |  |
| name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent                 | 142 A | 273.62(a)(1) |  |  |  |  |  |
| quantity of each universal waste type received   | 142 A | 273.62(a)(2) |  |  |  |  |  |
| the date the shipment was received   | 142 A | 273.62(a)(3) |  |  |  |  |  |
| 273.62(a) records must be retained for at least three years from the date of receipt of shipment of universal waste                              | 142 A | 273.62(b)    |  |  |  |  |  |

SUBPART F-IMPORT REQUIREMENTS

† IMPORTS

|   |             |              |  |  |  |  |  |
|---|-------------|--------------|--|--|--|--|--|
| persons managing imported universal waste are subject to Part 273, Subpart F requirements immediately after the waste enters the U.S. | 142 A, †152 | 273.70 intro |  |  |  |  |  |
| universal waste transporters are subject  | 142 A       | 273.70(a)    |  |  |  |  |  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| to the Part 273, Subpart D requirements   |                     |                       |                          |                  |                |                |                  |
| universal waste handlers are subject to the small or large quantity waste handler requirements in Part 273, Subparts B or C                             | 142 A               | 273.70(b)             |                          |                  |                |                |                  |
| owners/operators of destination facilities are subject to the Part 273, Subpart E requirements  | 142 A               | 273.70(c)             |                          |                  |                |                |                  |
| † persons managing universal waste imported from OECD countries in 262.58(a)(1) are subject to 273.70(a) through (c) in addition to part 262, subpart H | 152                 | 273.70(d)             |                          |                  |                |                |                  |

SUBPART G-PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273

† GENERAL

|  |       |           |  |  |  |  |  |
|--|-------|-----------|--|--|--|--|--|
| persons seeking to add a hazardous waste or a category, may petition under 260.20, 260.23, and Part 273, Subpart G.    | 142 E | 273.80(a) |  |  |  |  |  |
| what the petitioner must demonstrate to be successful; petition must include the 260.20(b) information; 273.81 factors | 142 E | 273.80(b) |  |  |  |  |  |
| Administrator will use the 273.81 factors to evaluate and decide; factors on which the decision will be based          | 142 E | 273.80(c) |  |  |  |  |  |

† FACTORS FOR PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS   | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|  |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 1 waste or waste category, as generated by a wide variety of generators, is a listed waste or, if not listed, a proportion of the waste stream exhibits one or more of the 261, Subpart C hazardous waste characteristics; how the definition of universal waste is amended when a characteristic waste is added; only that portion of the waste stream exhibiting one or more characteristics (i.e., is a hazardous waste) is subject to Part 273 | 142 E,<br>†181      | 273.81(a)             |                          |                  |                |                |                  |
| waste or waste category is not exclusive to a specific industry or group of industries and is commonly generated by a wide variety of establishments   | 142 E               | 273.81(b)             |                          |                  |                |                |                  |
| waste or waste category is generated by a large number of generators and is frequently generated in small quantities by each generator   | 142 E               | 273.81(c)             |                          |                  |                |                |                  |
| collection systems for waste or waste category would ensure close stewardship of the waste   | 142 E               | 273.81(d)             |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS  | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: |                |                |                  |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
|   |                     |                       |                          | EQUIVALENT       | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| low risk posed by accumulation and transport of waste or waste category; specific proposed management standards would be protective of human health and the environment during accumulation and transport                       | 142 E               | 273.81(e)             |                          |                  |                |                |                  |
| Part 273 regulation of waste or waste category will increase the likelihood that the waste will be diverted from non-hazardous waste management systems to recycling, treatment, or disposal in compliance with RCRA Subtitle C | 142 E               | 273.81(f)             |                          |                  |                |                |                  |
| Part 273 regulation will improve implementation and compliance with hazardous waste regulatory program  | 142 E               | 273.81(g)             |                          |                  |                |                |                  |
| such other factors as may be appropriate  | 142 E               | 273.81(h)             |                          |                  |                |                |                  |

CONSOLIDATED CHECKLIST C11  
40 CFR Part 273 as of **December 31**, 2002 (cont'd)

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- 1 Revision Checklist 181 is optional for States that have not added spent lamps to their universal waste program or that have added spent lamps to their universal waste program and regulate spent lamps as stringently as the Federal program. For States that have universal waste programs that include spent lamps, but do not regulate spent lamps as stringently as the Federal program, Revision Checklist 181 is not optional.
- 2 Revision Checklist 181 (64 FR 36466; July 6, 1999) redesignated old 273.5 as 273.8, old 273.6 as 273.9, added a new 273.5, and added and reserved two new sections—273.6 and 273.7.
- 3 While this provision was optional when first added to the CFR by Revision Checklist 142 (60 FR 25492; May 11, 1995), States which have chosen to adopt the Universal Waste provisions must also adopt this revision. The revision, therefore, is considered conditionally optional.
- 4 There is a typographical error in the Federal Register for Revision Checklist 181 (64 FR 36466; July 6, 1999). In the revised definition of “universal waste”, “hazardous waste that are” should be “hazardous wastes that are”.
- 5 There appears to be an error in the Federal Register for Revision Checklist 181 (64 FR 36466; July 6, 1999). In the first two subparagraphs for the revised definition of “universal waste”. It appears that the ending colons were inadvertently removed. Thus, subparagraph (1) should end “in § 273.2<sub>2</sub>” and subparagraph (2) should end “in § 273.3<sub>2</sub>”.
- 6 There is an error in the Federal Register article for Checklist 142 D (60 FR 25492; May 11, 1995). The "and" found at the end of 273.13(c)(2)(viii) should be at the end of 273.13(c)(2)(vii).
- 7 A State adopting this provision should be sure to not replace "EPA" in "EPA Acknowledgement of Consent". This document is an export paper and can be prepared only by EPA. For further guidance regarding exports, see Revision Checklist 31.
- 8 There is an error in the Federal Register article for Checklist 142 D (60 FR 25492; May 11, 1995). The "and" at the end of 273.33(c)(2)(viii) should be at the end of 273.33(c)(2)(vii).