

Standards Applicable to Laboratories at Universities and Colleges

Proposed Rule
71 FR 29712
May 23, 2006

What is this Federal Register About?

This is a proposed rule EPA is proposing alternative generator requirements applicable to college and university laboratories. The proposal is intended to provide a flexible and protective set of regulations that address the specific nature of hazardous waste generation in college and university laboratories. The rules do not apply to other hazardous wastes generated from other operations of a university or college such as farming and photo finishing. Also, the rule does not apply to hazardous wastes generated in medical laboratories (even if located at a university/college) or commercial laboratories.

The major components of the rule are listed below:

1. The rules provide flexibility as to where the hazardous waste determination can be made. The hazardous waste determination can be made in the laboratory, at an on-site central accumulation area (CAA) or on-site treatment, storage and disposal facility (TSDF). If the determination is made at an on-site CAA or TSDF, it must be done by a person trained in RCRA regulations and the determination must be made within four days of arriving at the site;
2. Unwanted wastes can only be stored in laboratories for a maximum of 6 months or until the total volume of wastes exceeds 55 gallons (whichever comes first);
3. The university/college must develop a laboratory management plan describing how the laboratory wastes program and its performance-based standards for container management, personnel training, transporting and labeling will be implemented;
4. Laboratory cleanout wastes as specifically defined in the rule do not count toward the university/college's generator status; and
5. The university/college must notify the overseeing agency that they will implement the Subpart K rules

Finally, these rules are optional. A university or college can choose to either follow these rules or the standard hazardous waste generator requirements with regards to the wastes generated in laboratories.

Will we comment on these proposed changes?

Yes. There are three areas of the rule in which we are developing comments.

1. U.S. EPA needs to clarify that there are limitations to using a central accumulation area. The area must meet the definition of on-site in the hazardous waste rules in order not to require a hazardous waste permit.
2. We want the Site Identification Form used as the mechanism for universities/colleges to notify us that they are implementing the Subpart K

rules.

3 Laboratory cleanout wastes should not be exempt from counting towards the university/college's generator status. We do not want to lose this information from being reported in the annual report.

What does this mean to the regulated community?

The proposed changes only affect university and college laboratories; a small hazardous waste universe. The rules provide a performance-based approach and flexibility for these entities in managing the wastes generated in numerous locations on campus.

What does this mean to DHWM and/or Ohio EPA?

These rule changes are considered by U.S. EPA to be no more or no less stringent than the current hazardous waste rules. Therefore, since we have an authorized RCRA program, we are not required to adopt the changes.

If we decide to adopt these rule changes, we anticipate that inspectors will need training to learn and enforce the rules, and additional resources will be expended to develop training and specialized inspection checklists. However, these rules do not increase the number of entities subject to regulation under the hazardous waste rules.

When would the regulatory changes be effective in Ohio?

The rule changes would be effective in Ohio when Ohio EPA adopts them. U.S. EPA cannot implement and enforce these rules prior to us adopting and being authorized for the changes. This is because we are not required to adopt the rules since they are not more stringent than the current rules.

When will Ohio EPA adopt the state version of this rule?

This will be determined after U.S. EPA adopts the final rule changes.

Federal Register Link:

<http://www.epa.gov/fedrgstr/EPA-WASTE/2006/May/Day-23/f4654.htm>

Federal Guidance Document:

<http://www.epa.gov/epaoswer/osw/specials/labwaste/lab-fs.htm>