

US EPA ARCHIVE DOCUMENT

## RCRA REVISION CHECKLIST 142 A

Universal Waste: General Provisions  
 60 FR 25492-25551  
 May 11, 1995  
 (RCRA Cluster V, non-HSWA provisions)

## Note:

1) This checklist, which addresses the universal waste general provisions, is one of five revision checklists developed for the Universal Waste Rule. To be authorized for this checklist, the State must also be authorized for at least one of the following universal waste checklists: Revision Checklists 142B, 142C, and 142D, and 142E.

2) Note that 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 example, 273.39(a)(2) lists batteries, pesticides and thermostats as examples. A State should include as examples only those universal wastes it adopts.

3) Certain provisions, such as the 260.10 definition of universal wastes, 261.9, 264.1(g)(11), 265.1(c)(14), 268.1(f), 270.1(c)(2)(viii), and 273.1(a), address certain requirements after which the universal wastes to which the requirements apply are listed. Only the requirements are included in this current checklist because it addresses the general provisions for universal wastes. The universal waste listings are included in the specific universal waste checklist, Revision Checklist 142B, C or D, as appropriate. For example, for the 264.1(g)(11) provision, this checklist contains the 264.1(g)(11) introductory provisions because they apply to all of the universals listed. 264.1(g)(11)(i), which addresses batteries, is included in Revision Checklist 142B because that checklist contains all of the provisions addressing batteries. Similarly, 264.1(g)(11)(ii) and 264.1(g)(11)(iii) are included in Revision Checklists 142C and 142D, respectively. Thus, a State must be sure that the requirements at provisions such as 261.9, 264.1(g)(11), and 265.1(c)(14), appropriately reflect the universal wastes the State is adopting.

4) When a State adopts the 273.20(b)&(c) and 273.56 provisions, it 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.

5) Note that Public Law 104-142, at §104, subjects the collection, storage, or transportation of used rechargeable batteries and other covered batteries to applicable provisions of the Universal Waste Rule upon the enactment of the Law (May 13, 1996). States wishing to regulate used rechargeable batteries and other covered batteries must adopt standards identical to the applicable standards in the Universal Waste Rule. Note that the above types of batteries are regulated by the Universal Waste Rule. The provisions of the Universal Waste Rule that apply to these batteries are the general provisions addressed by Revision Checklist 142A as well as the specific provisions addressed by Revision Checklist 142B.

**RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**PART 260--HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL**

**SUBPART B--DEFINITIONS**

† **DEFINITIONS**

change "and 268" to ", 268, and 270 through 273"	260.10 intro					
add "Destination Facility"	260.1					
add introductory paragraph for "Universal Waste" [Note: States should adopt (1)-(3) of the definition to appropriately reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	260.1					
add "Universal Waste Handler"	260.1					
add "Universal Waste Transporter"	260.1					

**PART 261--IDENTIFICATION AND LISTING OF HAZARDOUS WASTE**

**SUBPART A--GENERAL**

† **SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS**

entirely reword paragraph and include six new subparagraphs; when making the 261.5 and Part 262 quantity determinations, the generator must include all hazardous waste except that listed at 261.5(c)(1)-(6):	261.5(c)					
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RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
hazardous waste exempt from regulation under 261.4(c)-(f), 261.6(a)(3), 261.7(a)(1) or 261.8; or	261.5(c)(1)					
hazardous waste managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities as defined in 260.10; or	261.5(c)(2)					
hazardous waste that is recycled, without prior storage or accumulation, only in an on-site process subject to 261.6(c)(2) regulation; or	261.5(c)(3)					
hazardous waste that is used oil managed under 261.6(a)(4) and Part 279; or	261.5(c)(4)					
hazardous waste that is spent lead-acid batteries managed under Part 266, Subpart G; or	261.5(c)(5)					
hazardous waste that is universal waste managed under 261.9 and Part 273	261.5(c)(6)					
included in rule, but not changed	261.5(f)(3) intro					
included in rule, but not changed	261.5(f)(3)(i)-(iv)					
included in rule, but not changed	261.5(f)(3)(v)					
included in rule, but not changed	261.5(f)(3)(v)(A)					
change the period to "; or"	261.5(f)(3)(v)(B)					

**RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph addressing universal waste managed under Part 273	261.5(f)(3)(vi)					
included in rule, but not changed	261.5(g)(3) intro					
included in rule, but not changed	261.5(g)(3)(i)-(iv)					
included in rule, but not changed	261.5(g)(3)(v)					
included in rule, but not changed	261.5(g)(3)(v)(A)					
change the period to ", or"	261.5(g)(3)(v)(B)					
add new subparagraph addressing universal waste managed under Part 273	261.5(g)(3)(vi)					

† **REQUIREMENTS FOR UNIVERSAL WASTE**

wastes listed in 261.9 are exempt from regulation under Parts 262 through 270, except as specified in Part 273; wastes regulated under Part 273 [Note: States should adopt 269.1(a)-(c) as appropriate to reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	261.9 intro					
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**PART 262--STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE**

**SUBPART A--GENERAL**

† **PURPOSE, SCOPE AND APPLICABILITY**

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
redesignate old 262.10(b) through 262.10(f) as 262.10(c) through 262.10(g); add new paragraph (b) stating that 261.5(c) and (d) must be used to determine the applicability of Part 262 for those provisions dependent on a quantity determination	262.10(b)-(g)					

† HAZARDOUS WASTE DETERMINATION

add ", and 273" after "268"	262.11(d)					
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PART 264--STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE  
TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A--GENERAL

† PURPOSE, SCOPE, AND APPLICABILITY

add new paragraph; universal waste handlers and transporters handling the listed universal wastes are subject to Part 273 rather than Part 264 [Note: States should adopt 264.1(g)(11)(i)-(iii) as appropriate to reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	264.1(g)(11) intro					
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PART 265--INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS  
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A--GENERAL

† PURPOSE, SCOPE AND APPLICABILITY

**RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; universal waste handlers and transporters handling the listed universal waste are subject to Part 273 rather than Part 265 [Note: States should adopt 265.1(c)(14)(i)-(iii) as appropriate to reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	265.1(c)(14) intro					

**PART 268--LAND DISPOSAL RESTRICTIONS**

**SUBPART A--GENERAL**

† **PURPOSE, SCOPE AND APPLICABILITY**

add new paragraph; universal waste handlers and transporters are exempt from 268.7 and 268.50 for the listed universal wastes; these handlers are subject to Part 273 instead [Note: States should adopt 268.1(f)(1)-(3) to appropriately reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	268.1(f) intro					
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**PART 270--EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT  
PROGRAM**

**SUBPART A--GENERAL INFORMATION**

† **PURPOSE AND SCOPE OF THESE REGULATIONS**

**RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; universal waste handlers and transporters managing the listed universal wastes are subject to Part 273 rather than Part 270 [Note: States should adopt 270.1(c)(2)(viii)(A)-(C) to appropriately reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	270.1(c)(2)(viii) intro					

**PART 273--STANDARDS FOR UNIVERSAL WASTE MANAGEMENT**

**SUBPART A--GENERAL**

† SCOPE

Part 273 establishes requirements for managing the listed universal wastes [Note: States should adopt 273.1(a)(1)-(3) to appropriately reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	273.1(a) intro					
Part 273 provides an alternate set of management standards in lieu of regulation under Parts 260-272	273.1(b)					

† APPLICABILITY--HOUSEHOLD AND CONDITIONALLY EXEMPT SMALL QUANTITY  
GENERATOR WASTE

persons managing the wastes listed in 273.5(a)(1)&(2) may, at their option, manage them under Part 273	273.5(a)					
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RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
household wastes exempt under 261.4(b)(1) that are the same type as the 273.6 defined universal wastes	273.5(a)(1)					
conditionally exempt small quantity generator wastes exempt under 261.5 that are the same type as the 273.6 defined universal hazardous wastes	273.5(a)(2)					
273.5(a)(1)&(2) wastes commingled with universal wastes are regulated under Part 273	273.5(b)					

## † DEFINITIONS

add "Destination facility"	273.6					
add "Generator"	273.6					
add "Large Quantity Handler of Universal Waste"	273.6					
add "On-site"	273.6					
add "Small Quantity Handler of Universal Waste"	273.6					
add introductory paragraph to "Universal Waste" definition [Note: States should adopt (a)-(c) as appropriate to reflect the universal wastes adopted. See Revision Checklists 142B-D and prenote 3 to this checklist.]	273.6					
add "Universal Waste Handler"	273.6					
add "Universal Waste Transfer Facility"	273.6					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add "Universal Waste Transporter"	273.6					

**SUBPART B--STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE**

† **APPLICABILITY**

Part 273, Subpart B applies to small quantity handlers of universal waste	273.1					
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† **PROHIBITIONS**

a 273.6 small quantity generator of universal waste is:	273.11 intro					
prohibited from disposing of universal waste	273.11(a)					
prohibited from diluting or treating universal waste, except as provided	273.11(b)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
NOTIFICATION						
a small quantity handler of a universal waste is not required to notify EPA	273.12					
LABELING/MARKING						
a small quantity handler 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)	273.14 intro					
ACCUMULATION TIME LIMITS						
one year accumulation period for small quantity handlers unless 273.15(b) requirements are met	273.15(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	273.15(b)					
small quantity handlers must be able to demonstrate the length of time the universal waste has been accumulated; this demonstration is made by:	273.15(c)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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	273.15(c)(1)					
marking or labeling each individual item of universal waste with date it became a waste or was received	273.15(c)(2)					
maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received	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	273.15(c)(4)					
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	273.15(c)(5)					
any method clearly demonstrating the length of time that the universal waste has been accumulated	273.15(c)(6)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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	273.16					
RESPONSE TO RELEASES						
a small quantity handler must immediately contain all releases of universal waste and other residues from universal wastes	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	273.17(b)					
OFF-SITE SHIPMENTS						
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	273.18(a)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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	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	273.18(c)					
prior to shipment from the originating handler, the receiving handler must agree to receive the shipment	273.18(d)					
if the receiving handler rejects the shipment, the originating handler must either:	273.18(e)					
receive the waste back when notified that the shipment has been rejected, or	273.18(e)(1)					
agree with the receiving handler on a destination facility to which the shipment will be sent	273.18(e)(2)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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:	273.18(f)					
send the shipment back to the originating handler, or	273.18(f)(1)					
if agreed to by both the originating and receiving handler, send the shipment to a destination facility	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	273.18(g)					
if a small 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	273.18(h)					
† TRACKING UNIVERSAL WASTE SHIPMENTS						
small quantity handlers are not required to keep records of universal waste shipments	273.19					

**RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

## † EXPORTS

a small quantity handler who sends universal waste to a foreign destination must:	273.20 intro					
comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements	273.20(a)					
export only upon consent of the receiving country and in conformance with the EPA Acknowledgement of Consent	273.20(b)					
provide a copy of the EPA Acknowledgement of Consent for the shipment to the transporter transporting the shipment for export	273.20(c)					

## SUBPART C--STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE

## † APPLICABILITY

Part 273, Subpart C applies to large quantity handlers of universal waste	273.3					
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## † PROHIBITIONS

a large quantity handler of universal waste is:	273.31 intro					
prohibited from disposing of universal waste; and	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	273.31(b)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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 [Note: If a State does not adopt the Revision Checklist 142C provisions, "and (3)" should be removed from the introductory clause of 273.32(a)(1).]	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	273.32(a)(2)					
what the notification must include:	273.32(b)					
the universal waste handler's name and mailing address	273.32(b)(1)					
the name and business telephone number of the person at the universal waste handler's site who should be contacted	273.32(b)(2)					
the address or physical location of the universal waste management activities	273.32(b)(3)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
a list of all the types of universal waste managed by the handler	273.32(b)(4)					
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	273.32(b)(5)					
† 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)	273.34 intro					
† ACCUMULATION TIME LIMITS						
one year accumulation period for large quantity handlers, unless 273.35(b) requirements are met	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	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:	273.35(c)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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	273.35(c)(1)					
marking or labeling the individual item of universal waste with the date it became a waste or was received	273.35(c)(2)					
maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received	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	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	273.35(c)(5)					
any other method clearly demonstrating the length of time that the universal waste has been accumulated	273.35(c)(6)					

† EMPLOYEE TRAINING

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
large quantity handlers must ensure that employees are thoroughly familiar with proper waste handling and emergency procedures	273.36					
† RESPONSE TO RELEASES						
a large quantity handler must immediately contain all releases of universal waste and other residues from universal wastes	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	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	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	273.38(b)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if the universal waste being transported off-site meets 49 CFR Parts 171-180 definition of hazardous materials, large quantity handlers must follow DOT requirements for packaging, labeling, marking, placarding, and tracking	273.38(c)					
prior to shipment from the originating handler, the receiving handler must agree to receipt of shipment	273.38(d)					
if the receiving handler rejects the shipment, the originating handler must either:	273.38(e)					
receive the waste back when notified that the shipment has been rejected, or	273.38(e)(1)					
agree with the receiving handler on a destination facility to which the shipment will be sent	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:	273.38(f)					
send the shipment back to the originating handler, or	273.38(f)(1)					
if agreed to by both the originating and receiving handler, send the shipment to a destination facility	273.38(f)(2)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if large 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 hazardous the waste	273.38(g)					
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	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:	273.39(a)					
name and address of originating handler or foreign shipper	273.39(a)(1)					
quantity of each type of universal waste received	273.39(a)(2)					
the date the shipment was received	273.39(a)(3)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
large quantity handlers must keep a record of each universal waste shipment sent from the handler to other facilities; what form the record can take; the record must include:	273.39(b)					
name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent	273.39(b)(1)					
quantity of each universal waste type sent	273.39(b)(2)					
the date the shipment left the facility	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	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	273.39(c)(2)					
† EXPORTS						
a large quantity handler who sends universal waste to a foreign destination must:	273.40 intro					
comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements	273.40(a)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
export only upon consent of the receiving country and in conformance with the EPA Acknowledgement of Consent as defined in 262, Subpart E	273.40(b)					
provide a copy of the EPA Acknowledgement of Consent for the shipment to the transporter transporting the shipment for export	273.40(c)					

SUBPART D--STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

† APPLICABILITY

Part 273, Subpart D applies to universal waste transporters	273.5					
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† PROHIBITIONS

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

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

† 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 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

273.52(a)

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"

273.52(b)

† STORAGE TIME LIMITS

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
universal waste transporters may store universal wastes at a universal waste transfer facility for 10 days or less	273.53(a)					
if waste is stored longer than 10 days, the transporter becomes a universal waste handler and must comply with Part 273, Subparts B or C, as applicable	273.53(b)					
† RESPONSE TO RELEASES						
a universal waste transporter must immediately contain all releases of universal wastes and other residues from universal wastes	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	273.54(b)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

† 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	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	273.55(b)					

† EXPORTS

a universal waste transporter may not accept shipment to a foreign destination if it is known that the shipment does not conform with the EPA Acknowledgment of Consent; the transporter must also ensure:	273.56 intro					
a copy of the EPA Acknowledgment of Consent accompanies the shipment	273.56(a)					
the shipment is delivered to the facility designated by the person initiating the shipment	273.56(b)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**SUBPART E--STANDARDS FOR DESTINATION FACILITIES**

† **APPLICABILITY**

owner/operator of a destination facility is subject to all applicable requirements of Parts 264-270 and 124 and the RCRA §3010 notification requirements	273.60(a)					
owner/operator of a destination facility who recycles without storing that universal waste must comply with 261.6(c)(2)	273.60(b)					

† **OFF-SITE SHIPMENTS**

owner/operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility or a foreign destination	273.61(a)					
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:	273.61(b)					
send shipment back to the original shipper, or	273.61(b)(1)					
if agreed by both the shipper and the owner/operator, the shipment is sent to another destination facility	273.61(b)(2)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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	273.61(c)					
if non-hazardous, non-universal waste is received, the owner/operator may manage the waste in any that is in compliance with applicable Federal or State solid waste regulations	273.61(d)					

† 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:	273.62(a)					
name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent	273.62(a)(1)					
quantity of each universal waste type received	273.62(a)(2)					
the date the shipment was received	273.62(a)(3)					

RCRA REVISION CHECKLIST 142 A: Universal Waste;  
General Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
273.62(a) records must be retained for at least three years from the date of receipt of shipment of universal waste	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.	273.70 intro					
universal waste transporters are subject to the Part 273, Subpart D requirements	273.70(a)					
universal waste handlers are subject to the small or large quantity waste handler requirements in Part 273, Subparts B or C	273.70(b)					
owners/operators of destination facilities are subject to the Part 273, Subpart E requirements	273.70(c)					