

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 142 D

Universal Waste Rule: Specific Provisions for Thermostats

60 FR 25492-25551

May 11, 1995

(RCRA Cluster V, non-HSWA provisions)

Note: This checklist, which addresses the specific universal waste provisions for thermostats, is one of five revision checklists developed for the Universal Waste Rule. To be authorized for this checklist, a State must also be authorized for Revision Checklist 142 A which addresses the general universal waste provisions.

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								
add "Thermostat"	260.10							
to definition of "Universal Waste" add subparagraph addressing thermostats	260.10							
PART 261--IDENTIFICATION AND LISTING OF HAZARDOUS WASTE								
SUBPART A--GENERAL								
† REQUIREMENTS FOR UNIVERSAL WASTE								
add paragraph addressing thermostats	261.9(c)							
PART 264--STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES								
SUBPART A--GENERAL								
† PURPOSE, SCOPE AND APPLICABILITY								
add subparagraph addressing thermostats	264.1(g)(11)(iii)							

**RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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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**

add subparagraph
addressing thermostats

265.1(c)(14)(iii)

PART 268--LAND DISPOSAL RESTRICTIONS

SUBPART A--GENERAL

† **PURPOSE, SCOPE AND APPLICABILITY**

add subparagraph
addressing thermostats

268.1(f)(3)

**PART 270--EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT
PROGRAM**

SUBPART A--GENERAL INFORMATION

† **PURPOSE AND SCOPE OF THESE REGULATIONS**

add subparagraph
addressing thermostats

270.1(c)(2)(viii)(C)

PART 273--STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A--GENERAL

† **SCOPE**

add subparagraph
addressing thermostats

273.1(a)(3)

† **APPLICABILITY--MERCURY THERMOSTATS**

requirements of Part 273
apply to persons managing
273.6 thermostats, except
those in 273.4(b) list

273.4(a)

requirements of Part 273
do not apply to persons
managing the following
thermostats:

273.4(b)

**RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
thermostats not yet wastes under Part 261; 273.4(c) describes when a thermostat becomes a waste	273.4(b)(1)					
thermostats that are not hazardous waste (i.e., they do not exhibit a characteristic)	273.4(b)(2)					
a used thermostat becomes a waste on the date it is discarded	273.4(c)(1)					
an unused thermostat becomes a waste on the date handler decides to discard it	273.4(c)(2)					
† DEFINITIONS						
add "Thermostat"	273.6					
add a subparagraph addressing thermostats to the definition of "Universal Waste"	273.6					
SUBPART B--STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE						
† WASTE MANAGEMENT						
small quantity handler must manage universal waste thermostats to prevent releases	273.13(c)					

RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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	273.13(c)(1)					
a small quantity handler of universal waste may remove mercury-constraining ampules from universal waste thermostats provided the handler:	273.13(c)(2)					
removes the ampules in a manner designed to prevent breakage of the ampules	273.13(c)(2)(i)					
removes ampules only over or in a containment device	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	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	273.13(c)(2)(iv)					

RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	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	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	273.13(c)(2)(vi)					
1 stores removed ampules in closed, non-leaking containers that are in good condition; and	273.13(c)(2)(vii)					
1 packs removed ampules in the container with packing materials adequate to prevent breakage	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	273.13(c)(3)(i)					
mercury or clean-up residues resulting from spills or leaks; and/or	273.13(c)(3)(i)(A)					
other solid waste generated as result of removing mercury-containing ampules	273.13(c)(3)(i)(B)					

RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (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 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	273.13(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	273.13(c)(3)(iii)					

RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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† LABELING/MARKING

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)"	273.14(d)					
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SUBPART C--STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE

† WASTE MANAGEMENT

large quantity handler must manage universal waste thermostats to prevent releases	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	273.33(c)(1)					
a large quantity handler of universal waste may remove mercury-constraining ampules from universal waste thermostats provided the handler:	273.33(c)(2)					
removes the ampules in a manner designed to prevent breakage of the ampules	273.33(c)(2)(i)					

RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
removes ampules only over or in a containment device	273.33(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	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	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	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	273.33(c)(2)(vi)					
2 stores removed ampules in closed, non-leaking containers that are in good condition; and	273.33(c)(2)(vii)					

RCRA REVISION CHECKLIST 142 D: Universal Waste Rule;
Specific Provisions for Thermostats (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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2 packs removed ampules in the container with packing materials adequate to prevent breakage	273.33(c)(2)(viii)					
a large quantity handler who removes mercury-containing ampules from thermostats must determine whether the following exhibit a hazardous waste characteristic	273.33(c)(3)(i)					
mercury or clean-up residues resulting from spills or leaks	273.33(c)(3)(i)(A)					
other solid waste generated as result of removing mercury-containing ampules	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	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	273.33(c)(3)(iii)					

† LABELING/MARKING

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
universal waste thermostats or 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)"	273.34(d)					

- ¹ Note, there is an error in the Federal Register article for this checklist. The "and" found at the end of 273.13(c)(2)(viii) should be at the end of 273.13(c)(2)(vii).
- ² Note, there is an error in the Federal Register article for this checklist. The "and" found at the end of 273.33(c)(2)(viii) should be at the end of 273.33(c)(2)(vii).