

US EPA ARCHIVE DOCUMENT

SPECIAL CONSOLIDATED CHECKLIST  
For the  
Universal Waste Rule as of June 30, 2001

Name State: MARYLAND

State Statutory Authority: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland (1996  
Replacment Volume and 1999 Cumulative Supplement

Title of Regulations: COMAR 26.13 Effective Date: November 1, 2002

Date Checklist Completed: September 15, 2003

This checklist consolidates changes to the Federal code addressed by the following Universal Waste (UW) checklists that have occurred through June 30, 2001:

- Revision Checklists 142A-E [60 FR 25492 (May 11, 1995)];
- Revision Checklist 176 [63 FR 71225 (December 24, 1998)]; and
- Revision Checklist 181 [64 FR 36466 (July 6, 1999)].

This checklist also includes applicable changes made to the Federal code addressed by the following checklists that are not UW checklists, but which contain revisions to provisions included in the UW program, through June 30, 2001:

- Revision Checklist 152 [61 FR 16290 (April 12, 1996)];
- Revision Checklist 153 [61 FR 34252 (July 1, 1996)];
- Revision Checklist 157 [62 FR 25998 (May 12, 1997)];
- Revision Checklist 166 [63 FR 24963 (May 6, 1998)]; and
- Revision Checklist 169 [63 FR 42110 (August 6, 1998)].

(1) Revision Checklist 142 A addresses the universal waste general provisions and is one of five initial revision checklists developed for the Universal Waste Rule. To be authorized for Revision Checklist 142A, a State must also be authorized for at least one of five universal waste checklists--Revision Checklist 142B, 142C, 142D, 142E or 181.

(2) The wording of several paragraphs addressed by Revision Checklist 142A needs to be revised to reflect the universal waste(s) a 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) When a State adopts the 273.20(b)&(c) and 273.56 provisions, it should not replace "EPA" in "EPA Acknowledgment of Consent". This document is an export paper and can be prepared only by EPA. For further guidance regarding exports, see Revision Checklist 31.

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(4) 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. 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.

(5) 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.

**Maryland Attorney General Comment:**

This Consolidated Checklist for the Universal Waste requirements reflects the Federal code as of June 30, 2001. Maryland, however, is not seeking authorization for all the Checklists that made revisions to the Universal Waste requirements. Specifically, the State is not seeking authorization for Revision Checklists 157 and 166. In addition, although Maryland has adopted the Federal import/export requirements as addressed by Revision Checklist 152, the State is not seeking authorization for these provisions because the exercise of foreign relations and international commerce powers is reserved to the Federal government under the United States Constitution. Finally, EPA has informed Maryland that the Agency will not approve the State's provisions for lamp crushing at COMAR 26.13.10.15.B(3) at this time; therefore, Maryland is not seeking authorization for the Federal final rule addressing mercury containing lamps [**Revision Checklist 181 (64 FR 36466; July 6, 1999)**].

Where such checklists are referenced in the "Checklist Reference" column of this Consolidated Checklist, those for which the State is not seeking authorization are set apart by brackets. Any determination of equivalency is made as to the Federal provision as it existed without the changes made by the bracketed Revision Checklists.

**Broader-in Scope Provision:** Maryland's regulations include PCB-containing lamps ballasts as a universal waste. The requirements for PCB-containing lamp ballasts go beyond the scope of the Federal program because PCBs are not a Federal hazardous waste. Maryland is not seeking authorization for these requirements.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	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"	142A	260.10 intro	26.13.01.03A	X			
add "Battery"	142B	260.10	26.13.01.03B(4-1), (16-2)	X			
add "Destination Facility"	142A	260.10	26.13.01.03B(12-1)	X			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add "Lamp"	[181]	260.10	26.13.01.03B(43-2)	X			
add "Pesticide"	142C	260.10	26.12.01.03B(62-1)	X			
add "Thermostat"	142D	260.10	26.13.01.03B(80-1)	X			
1 add introductory paragraph for "Universal Waste" [Note: States should adopt (1)-(3) of the definition to appropriately reflect the universal wastes adopted.]	142A, [†181]	260.10	26.13.01.03B(89-1)	X			
to definition of "Universal Waste" add subparagraph addressing batteries	142B, [†181]	260.10	26.13.01.03B(89-1)(a)	X			
to definition of "Universal Waste", add subparagraph addressing pesticides	142C, [†181]	260.10	26.13.01.3B(89-1)(b)	X			
to definition of "Universal Waste" add subparagraph addressing thermostats	142D, [†181]	260.10	26.13.01.03B(89-1)(c)	X			
to definition of "Universal Waste" add subparagraph addressing lamps	[181]	260.10	26.13.01.03B(89-1)(c)	X			
add "Universal Waste Handler"	142A	260.10	26.13.01.03B(89-2)	X			
add "Universal Waste Transporter"	142A	260.10	26.13.01.03B(89-4)	X			

**SUBPART C--RULEMAKING PETITIONS**

†

GENERAL							
change "and 268" to ", 268 and 273"; insert "of this chapter" after "265"; insert "or waste-derived material" after "to exclude a waste"; add "of this chapter" after "subpart D of part 261"; add a new sentence at the end of the paragraph regarding the 260.23 provisions	142E	260.20(a)	26.13.01.04A(1)	X			

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

† **PETITIONS TO AMEND 40 CFR PART 273 TO INCLUDE ADDITIONAL HAZARDOUS WASTES**

persons seeking to add a hazardous waste or a category to Part 273 universal waste provisions, may petition under 260.20, 260.23 and Part 273, Subpart G	142E	260.23(a)	26.13.01.04J(1)	X			
what the petitioner must demonstrate to be successful; petition must include 260.20(b) information; petition must address 273.81 factors	142E	260.23(b)	26.13.01.04J(2) intro, J(2)(a)-(c)	X			
Administrator will use 273.81 factors to evaluate and decide; factors on which the decision will be based	142E	260.23(c)	26.13.01.04J(3) intro, J(3)(a)-(b)	X			
Administrator may request additional information	142E	260.23(d)	26.13.01.04J(4)	X			

**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):	142A	261.5(c) intro	26.13.02.05A(2)	X			
hazardous waste exempt from regulation under 261.4(c)-(f), 261.6(a)(3), 261.7(a)(1) or 261.8; or	142A	261.5(c)(1)	26.13.02.05A(2) (a)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
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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
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	142A	261.5(c)(2)	26.13.02.05A(2)(b)	X			
hazardous waste that is recycled, without prior storage or accumulation, only in an on-site process subject to 261.6(c)(2) regulation; or	142A	261.5(c)(3)	26.13.02.05A(2)(c)	X			
hazardous waste that is used oil managed under 261.6(a)(4) and Part 279; or	142A	261.5(c)(4)	26.13.02.05A(2)(d)	X			
hazardous waste that is spent lead-acid batteries managed under Part 266, Subpart G; or	142A	261.5(c)(5)	26.13.02.05A(2)(e)	X			
hazardous waste that is universal waste managed under 261.9 and Part 273	142A	261.5(c)(6)	26.13.02.05A(2)(f)	X			
included in rule, but not changed	142A	261.5(f)(3) intro	26.13.02.05D(2)	X			
included in rule, but not changed	142A	261.5(f)(3)(i)-(iv)	26.13.02.05D(2)(a)-(c)	X			
<sup>2</sup> included in rule, but not changed	142A, 153	261.5(f)(3)(vi)	26.13.02.05D(2)(f)	X			
included in rule, but not changed	142A, 153	261.5(f)(3)(vi)(A)	26.13.02.05D(2)(f)(i)	X			
change the period to "; or"	142A, 153	261.5(f)(3)(vi)(B)	26.13.02.05D(2)(f)(ii)	X			
add new subparagraph addressing universal waste managed under Part 273	142A, 153	261.5(f)(3)(vii)	26.13.02.05D(2)(g)	X			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD IN SCOPE
Included in rule, but not changed	142A	261.5(g)(3) intro	26.13.02.05D(2)	X			
included in rule, but not changed	142A	261.5(g)(3)(i)-(iv)	26.13.02.05D(2) (a)-(c)	X			
3 included in rule, but not changed	142A	261.5(g)(3)(vi)	26.13.02.05D(2) (f)	X			
included in rule, but not changed	142A	261.5(g)(3)(vi) (A)	26.13.02.05D(2) (f)(i)	X			
change the period to ", or"	142A	261.5(g)(3)(vi) (B)	26.13.02.05D(2) (f)(ii)	X			
add new subparagraph addressing universal waste managed under Part 273	142A	261.5(g)(3)(vii)	26.13.02.05D(2) (g)	X			
† REQUIREMENTS FOR RECYCLABLE MATERIALS							
4 remove old 261.6(a)(3)(ii) and redesignate old 261.6(a)(3)(iii)-(vi) as 261.6(a)(3)(ii)-(v); revise (a)(3)(ii); revise (a)(3)(iv); remove (a)(3)(v)	142B, [†157,] [†166], [†169]	261.6(a)(3)(ii)-(iv)	26.13.02.06A(3) (a) (ii)-(iv)	X			
† 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 261.9(a)-(c) as appropriate to reflect the universal wastes adopted. See prenote 3.]	142A	261.9 intro	26.13.02.07-1A	X			
add paragraph addressing batteries	142B	261.9(a)	26.13.02.07-1B(1)	X			
add paragraph addressing pesticides	142C [†181]	261.9(b)	26.13.02.07-1B(2)	X			
add paragraph addressing thermostats	142D [†181]	261.9(c)	26.13.02.07-1B(3)	X			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add paragraph addressing lamps	[181]	261.9(d)	26.13.02.07-1B(3)	X			

**PART 262--STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE**

**SUBPART A—GENERAL**

† **PURPOSE, SCOPE AND APPLICABILITY**

redesignate old 262.10(b) as 262.10(c); 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	142A	262.10(b)&(c)	26.13.03.01B & B-1	X			
add new paragraph (d); persons who export or import hazardous waste subject to the manifest requirements of part 262, the universal waste standards of part 273, or the State requirements analogous to part 273, to or from countries listed in 262.58(a)(1) for recovery, must comply with part 262, subpart H	[152]	262.10(d)	26.13.03.07-5A	X			
redesignate 261.10(c)-(f) as (d)-(g); redesignate 262.10(d)-(g) as 262.10(e)-(h)	142A, [152]	262.10(e) - (h)	26.13.03.01C-F	X			

† **HAZARDOUS WASTE DETERMINATION**

add ", and 273" after "268"	142A	262.11(d)	26.13.03.02B	X			
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**SPECIAL CONSOLIDATED CHECKLIST:  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROAD IN SCOPE

**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 prenote 3.]	142A	264.1(g)(11) intro	26.13.05.01A(3) (k)	X			
add subparagraph addressing batteries	142B	264.1(g)(11)(i)	26.13.05.01A(3) (k) (i)	X			
add subparagraph addressing pesticides	142C, [†181]	264.1(g)(11)(ii)	26.13.05.01A(3) (k)(ii)	X			
add subparagraph addressing thermostats	142D, [†181]	264.1(g)(11) (iii)	26.13.05.01A(3) (k)(iii)	X			
add subparagraph addressing lamps	[181]	264.1(g)(11) (iv)	26.13.05.01A (3)(k)(iii)	X			

**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 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 prenote 3.]	142A	265.1(c)(14) intro	26.13.06.01A(4) (j)	X			
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add subparagraph addressing batteries	142B	265.1(c)(14)(i)	26.13.06.01A(4)(j)(i)	X			
add subparagraph addressing pesticides	142C, †181	265.1(c)(14)(ii)	26.13.06.01A(4)(j)(ii)	X			
add subparagraph addressing thermostats	142D, [†181]	265.1(c)(14)(iii)	26.13.06.01A(4)(j)(iii)	X			
add subparagraph addressing lamps	[181]	265.1(c)(14)(iv)	26.13.06.01A(4)(j)(iii)	X			

**PART 266--STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES**

**SUBPART G--SPENT LEAD ACID BATTERIES BEING RECLAIMED**

† **APPLICABILITY AND REQUIREMENTS**

insert "(including regeneration)" after "persons who reclaim" in the first sentence; insert "who regenerate spent batteries," after "or collect spent batteries,"; insert "(other than spent batteries that are to be regenerated)" after "but do not reclaim them"	142B, 176	266.80(a)	26.13.10.04A(1) & (2), & B	X			
add new table; spent lead-acid batteries exemptions	176	266.80(a)/ Table	26.13.10.04C-I	X			
insert "lead-acid" after "that store spent"; insert "(other than spent batteries that are to be regenerated)" after "before reclaiming"	142B, 176	266.80(b) intro	26.13.10.04F intro	X			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROAD IN SCOPE
Interim Status Facilities must comply with specified requirements	176	266.80(b)(1) intro	26.13.10.04F intro	X			
		266.80(b)(1)(i)	26.13.10.04F(1)	X			
		266.80(b)(1)(ii)	26.13.10.04F(2)(4)	X			
		266.80(b)(1)(iii)	26.13.10.04F(4) intro & (4)(a)	X			
		266.80(b)(1)(iv)	26.13.10.04F(4)	X			
		266.80(b)(1)(v)	26.13.10.04F(4) intro & (4)(b) & (c)	X			
		266.80(b)(1)(vi)	26.13.10.04F(4)	X			
Permitted Facilities must comply with specified requirements	176	266.80(b)(2) intro	26.13.10.04E intro	X			
		266.80(b)(2)(i)	26.13.10.04E(1)	X			
		266.80(b)(2)(ii)	26.13.10.04E(4) intro	X			
		266.80(b)(2)(iii)	26.13.10.04E(4) intro & E(4)(a)	X			
		266.80(b)(2)(iv)	26.13.10.04E(4) intro	X			
		266.80(b)(2)(v)	26.13.10.04E(4) intro, E(4)(b) & E(4)(c)	X			
		266.80(b)(2)(vi)	26.13.10.04E(4) intro	X			
	266.80(b)(2)(vii)	26.13.10.04E(5)	X				

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

**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 prenote 3.]	142A	268.1(f) intro	No analog	X			
add subparagraph addressing batteries	142B	268.1(f)(1)	No analog	X			
add subparagraph addressing pesticides	142C, [†181]	268.1(f)(2)	No analog	X			
add subparagraph addressing thermostats	142D, [†181]	268.1(f)(3)	No analog	X			
add subparagraph addressing lamps	[181]	268.1(f)(4)	No analog	X			

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

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

**SUBPART A--GENERAL INFORMATION**

† **PURPOSE AND SCOPE OF THESE REGULATIONS**

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 prenote 3.]	142A	270.1(c)(2)(viii) intro	26.13.05.01A(3)(k)	X			
add subparagraph addressing batteries	142B	270.1(c)(2)(viii)(A)	26.13.07.01A & 26.13.05.01A(3)(k)(i)	X			
add subparagraph addressing pesticides	142C, [†181]	270.1(c)(2)(viii)(B)	26.13.07.01A & 26.13.05.01A(3)(k)(ii)	X			
add subparagraph addressing thermostats	142D, [†181]	270.1(c)(2)(viii)(C)	26.13.07.01A & 26.13.05.01A(3)(k)(iii)	X			
add subparagraph addressing lamps	[181]	270.1(c)(2)(viii)(D)	26.13.07.01A & 26.13.05.01A(3)(k)(iii)	X			

**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 prenote 3.]	142A	273.1(a) intro	26.13.10.06A	X			
add subparagraph addressing batteries	142B	273.1(a)(1)	26.13.10.06.B(1)	X			

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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
add subparagraph addressing pesticides	142C, [†181]	273.1(a)(2)	26.13.10.06B(2)	X			
add subparagraph addressing thermostats	142D, [†181]	273.1(a)(3)	26.13.10.06B(3)	X			
add subparagraph addressing lamps	[181]	273.1(a)(4)	26.13.10.06B(3)	X			
Part 273 provides an alternate set of management standards in lieu of regulation under Parts 260-272	142A	273.1(b)	26.13.10.06C	X			
† APPLICABILITY—BATTERIES							
requirements of Part 273 apply to persons managing 273.9 batteries, except those in 273.2(b) list	142B, [†181]	273.2(a)(1)	26.13.10.07A(1)	X			
spent lead-acid batteries not managed under Part 266, Subpart G are subject to management under Part 273	142B	273.2(a)(2)	26.13.10.07A(2)	X			
requirements of Part 273 do not apply to persons managing the following batteries:	142B	273.2(b) intro	26.13.10.07B	X			
spent lead-acid batteries managed under Part 266, Subpart G	142B	273.2(b)(1)	26.13.10.07B(1)	X			
batteries, as described in 273.9, that are not yet hazardous waste under Part 261, including those that do not meet the criteria for waste generation in 273.2(c)	142B, [†181]	273.2(b)(2)	26.13.10.07B(2)	X			
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	142B, [†181]	273.2(b)(3)	26.13.10.07B(3)	X			
a used battery becomes a waste on the date it is discarded	142B	273.2(c)(1)	26.13.10.07C(1)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROAD IN SCOPE
an unused battery becomes a waste on the date the handler decides to discard it	142B	273.2(c)(2)	26.13.10.07C(2)	X			

†

**APPLICABILITY--PESTICIDES**

requirements of Part 273 apply to persons managing 273.9 pesticides, except those in 273.3(b) list	142C, [†181]	273.3(a) intro	26.13.10.08A intro	X			
recalled pesticides	142C	273.3(a)(1) intro	26.13.10.08A(1) intro	X			
		273.3(a)(1)(i)	26.13.10.08A(1) (a)	X			
		273.3(a)(1)(ii)	26.13.10.08A(1) (b)	X			
stocks of other unused pesticide products collected and managed as part of a waste pesticide collection program	142C	273.3(a)(2)	26.13.10.08A(2)	X			
requirements of Part 273 do not apply to persons managing the following pesticides:	142C	273.3(b) intro	26.13.10.08B intro	X			
recalled 273.3(a)(1)&(2) pesticides managed by farmers in compliance with 262.70	142C	273.3(b)(1)	26.13.10.08B(1)	X			
pesticides not meeting the 273.3(a) conditions; these pesticides must be managed in compliance with Parts 260 through 272	142C	273.3(b)(2)	26.13.10.08B(2)	X			
pesticides that are not wastes under Part 261, including those that do not meet the 273.3(c) criteria for waste generation or those that are not 273.3(d) wastes	142C	273.3(b)(3)	26.13.10.08B(3) intro, B(3)(a) & (b)	X			
pesticides that are not hazardous waste (i.e., is not listed nor exhibits a characteristic)	142C	273.3(b)(4)	26.13.10.08B(4)	X			

**US EPA ARCHIVE DOCUMENT**

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a recalled 273.3(a)(1) pesticide becomes a waste when both specified conditions occur	142C	273.3(c)(1) intro	26.13.10.08C(1) intro	X			
		273.3(c)(1)(i)	26.13.10.08C(1) (a)	X			
		273.3(c)(1)(ii)	26.13.10.08C(1) (b)	X			
an unused pesticide product described in 273.3(a)(2) becomes a waste on the date the generator decides to discard it	142C	273.3(c)(2)	26.13.10.08C(2)	X			
pesticides that are not wastes:	142C	273.3(d) intro	26.13.10.08D intro	X			
recalled 273.3(a)(1) pesticides, provided the person conducting the recall meets specified conditions	142C	273.3(d)(1) intro	26.13.10.08D(1) intro & D(1)(a)	X			
		273.3(d)(1)(i)	26.13.10.08D(1) (a)(i) & (b)(i)&(ii)	X			
		273.3(d)(1)(ii)	26.13.10.08D(1) (c) intro & D(1)(c)(i) & (ii)	X			
unused pesticide products described in 273.3(a)(2), if the generator has not decided to discard them. These pesticides remain subject to FIFRA	142C	273.3(d)(2)	26.13.10.08D(2) Intro & D(2)(a)&(b)	X			
<b>† APPLICABILITY--MERCURY THERMOSTATS</b>							
requirements of part 273 apply to persons managing 273.9 thermostats, except those in 273.4(b) list	142D, [†181]	273.4(a)	26.13.10.09A	X			
requirements of part 273 do not apply to persons managing the following thermostats:	142D	273.4(b) intro	26.13.10.09B intro	X			
thermostats not yet wastes under Part 261; 273.4(c) describes when a thermostat becomes a waste	142D	273.4(b)(1)	26.13.10.09B(1)	X			
thermostats that are not hazardous waste (i.e., they do not exhibit a characteristic)	142D	273.4(b)(2)	26.13.10.09B(2)	X			
a used thermostat becomes a waste on the date it is discarded	142D	273.4(c)(1)	26.13.10.09C(1)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD IN SCOPE
an unused thermostat becomes a waste on the date handler decides to discard it	142D	273.4(c)(2)	26.13.10.09C(2)	X			

†,  
5

**APPLICABILITY – LAMPS**

requirements of part 273 apply to persons managing 273.9 lamps, except those in 273.5(b) list	[181]	273.5(a)	26.13.10.09A	X			
requirements of part 273 do not apply to persons managing the following lamps:	[181]	273.5(b) intro	26.13.10.09B intro	X			
lamps not yet wastes under part 261; 273.5(c) describes when a lamp becomes a waste	[181]	273.5(b)(1)	26.13.10.09B(1)	X			
lamps that are not hazardous waste (i.e., they do not exhibit a characteristic)	[181]	273.5(b)(2)	26.13.10.09B(2)	X			
a used lamp becomes a waste on the date it is discarded	[181]	273.5(c)(1)	26.13.10.09C(1)	X			
an unused lamp becomes a waste on the date handler decides to discard it	[181]	273.5(c)(2)	26.13.10.09C(2)	X			

**RESERVED**

†,  
6

add and reserve	[181]	273.6	No analog	X			
add and reserve	[181]	273.7	No analog	X			

†,  
6

**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	142A, [†181]	273.8(a) intro	26.13.10.10A	X			
household wastes exempt under 261.4(b)(1) that are the same type as the 273.9 defined universal wastes	142A, [†181]	273.8(a)(1)	26.13.10.10A(1)	X			

SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
conditionally exempt small quantity generator wastes exempt under 261.5 that are the same type as the 273.9 defined universal hazardous wastes	142A, [†181]	273.8(a)(2)	26.13.10.10A(2)	X			
273.5(a)(1)&(2) wastes commingled with universal wastes are regulated under Part 273	142A, [†181]	273.8(b)	26.13.10.10B	X			

†,

6 DEFINITIONS

add "Battery"	142B, [†181]	273.9	26.13.01.03B (4-1)(a)&(b) & (16-2)	X			
add "Destination facility"	142A, [†181]	273.9	26.13.01.03B (12-1)	X			
add "FIFRA"	142C, [†181]	273.9	26.13.01.03B(24-2)	X			
add "Generator"	142A, [†181]	273.9	26.13.01.03B(29)	X			
add "Lamp"	[181]	273.9	26.13.01.03B(43-2)	X			
add "Large Quantity Handler of Universal Waste"	142A, [†181]	273.9	26.13.01.03B (46-1) 26.13.10.19A(2)	X			
add "On-site"	142A, [†181]	273.9	26.13.01.03B(56)	X			
add "Pesticide"	142C, [†181]	273.9	26.13.01.03B(62-1)(a),(b), & (b)(i)-(iii)	X			
add "Small Quantity Handler of Universal Waste"	142A, 176, [†181]	273.9	26.13.01.03B (72-2)	X			
add "Thermostat"	142D, [†181]	273.9	26.13.01.03B(80-1)	X			
7 add introductory paragraph to "Universal Waste" definition [Note: States should adopt (a)-(c) as appropriate to reflect the universal wastes adopted. See prenote 3.]	142A, [†181]	273.9	26.13.01.03B (89-1)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROAD IN SCOPE
8 add a subparagraph addressing batteries to the definition of "Universal Waste"	142B, [†181]	273.9(1)	26.13.01.03B(89-1)(a)	X			
add a subparagraph addressing pesticides to the definition of "Universal Waste"	142C, [†181]	273.9(2)	26.13.01.03B(89-1)(b)	X			
add a subparagraph addressing thermostats to the definition of "Universal Waste"	142D, [†181]	273.9(3)	26.13.01.03B(89-1)(c)	X			
add a subparagraph addressing lamps to the definition of "Universal Waste"	[181]	273.9(4)	26.13.01.03B(89-1)(c)	X			
add "Universal Waste Handler"	142A, [†181]	273.9	26.13.01.03B (89-2)	X			
add "Universal Waste Transfer Facility"	142A, [†181]	273.9	26.13.01.03B (89-3)	X			
add "Universal Waste Transporter"	142A, [†181]	273.9	26.13.01.03B (89-4)	X			

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

† **APPLICABILITY**

Part 273, Subpart B applies to small quantity handlers of universal waste	142A, [†181]	273.10	26.13.10.11A	X			
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† **PROHIBITIONS**

a 273.6 small quantity generator of universal waste is:	142A	273.11 intro	26.13.10.11B	X			
prohibited from disposing of universal waste	142A	273.11(a)	26.13.10.11B(1)	X			
prohibited from diluting or treating universal waste, except as provided	142A	273.11(b)	26.13.10.11B(2)	X			

† **NOTIFICATION**

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a small quantity handler of a universal waste is not required to notify EPA	142A	273.12	26.13.10.11C	X			

**Attorney General Comment:** Maryland's provision at COMAR 26.13.10.11C makes reference to Regulation 15B(3)(e) concerning crushing of lamps. At COMAR 26.13.10.15B(3), Maryland has adopted provisions to allow for the crushing of mercury-containing bulbs under the Universal Waste requirements. However, the State is not seeking authorization for Federal lamp rule and the State's lamp crushing requirements at this time.

† **WASTE MANAGEMENT**

small quantity handlers of universal waste must manage waste batteries to prevent release	142B	273.13(a)	26.13.10.12A intro & A(1)	X			
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	142B	273.13(a)(1)	26.13.10.12B intro & B(1)-(4)	X			
allowable activities as long as battery casing remains intact and closed	142B	273.13(a)(2) intro	26.13.10.12C intro & D	X			
		273.13(a)(2)(i)	26.13.10.12C(1)	X			
		273.13(a)(2)(ii)	26.13.10.12C(2)	X			
		273.13(a)(2)(iii)	26.13.10.12C(3)	X			
		273.13(a)(2)(iv)	26.13.10.12C(4)	X			
		273.13(a)(2)(v)	26.13.10.12C(5)	X			
		273.13(a)(2)(vi)	26.13.10.12C(6)	X			
testing of electrolyte and other solid wastes to determine if hazardous waste characteristic is exhibited	142B	273.13(a)(3) intro	26.13.10.12E intro, E(1) & E(2)	X			
		273.13(a)(3)(i)	26.13.10.12F(1)-(3)	X			
		273.13(a)(3)(ii)	26.13.10.12G	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROAD IN SCOPE
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:	142C	273.13(b) intro	26.13.10.13A & B intro	X			
a container that remains closed, structurally sound, compatible with the pesticide, and lacks evidence of leakage, spillage, or damage that could cause a leak	142C	273.13(b)(1)	26.13.10.13B(1) intro & B(1)(a)-(d)	X			
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	142C	273.13(b)(2)	26.13.10.13B(2)	X			
a tank meeting the Part 265, Subpart J requirements (except for 265.197(c), 265.200 and 265.201)	142C	273.13(b)(3)	26.13.10.13B(3) intro & B(3)(a) & (b)	X			
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	142C	273.13(b)(4)	26.13.10.13B(4) intro & B(4)(a)-(d)	X			
small quantity handler must manage universal waste thermostats to prevent releases	142D	273.13(c) intro	26.13.10.14A	X			
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	142D	273.13(c)(1)	26.13.10.14B intro, B(1) intro, & B(1)(a)-(d)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
9  small quantity handlers who remove mercury-containing ampules from thermostats must determine whether specified conditions exhibit a hazardous waste characteristic	142D	273.13(c)(3)(i) intro	26.13.10.14B(3) intro & B(3)(a) intro	X			
		273.13(c)(3)(i) (A)	26.13.10.14B(3) (a)(i)	X			
		273.13(c)(3)(i) (B)	26.13.10.14B(3) (a)(ii)	X			
		273.13(c)(3)(ii)	26.13.10.14B(3) (b) intro & B(3)(b)(i)&(ii)	X			
		273.13(c)(3) (iii)	26.13.10.14B(3) (c)	X			
small quantity handlers of universal waste must manage lamps to prevent releases	[181]	273.13(d) intro	26.13.10.15A	X			
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)	26.13.10.15B	X			
immediately clean up & place in 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)	26.13.10.15B(2)	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

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

† 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)	142A	273.14 intro	26.13.10.17A intro & A1	X			
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)"	142B	273.14(a)	26.13.10.17A(2) (a) intro & (a)(i)-(iii)	X			
for recalled 273.3(a)(1) pesticides, the container (or multiple container unit), tank, transport vehicle or vessel must be labeled/marked with:	142C	273.14(b) intro	26.13.10.17A(2) (b) intro	X			
the label that was on or accompanied the product as sold or distributed	142C	273.14(b)(1)	26.13.10.17A(2) (b)(i)	X			
the words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"	142C	273.14(b)(2)	26.13.10.17A(2) (b)(ii)	X			
how unused 273.3(a)(2) pesticides, the container, tank or transport vehicle or vessel must be labeled/marked	142C	273.14(c) intro	26.13.10.17A(2) (c) intro	X			
		273.14(c)(1)(i)	26.13.10.17A(2) (c)(i)	X			
		273.14(c)(1)(ii)	26.13.10.17A(2) (c)(ii)	X			
		273.14(c)(1)(iii)	26.13.10.17A(2) (c)(iii)	X			
the words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"	142C	273.14(c)(2)	26.13.10.17A(2) (c)(iv)	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
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)"	142D	273.14(d)	26.13.10.17A(2)(d) intro & A(2)(d)(i)-(iii)	X			
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)	26.13.10.17A(2)(e)	X			
† ACCUMULATION TIME LIMITS							
one year accumulation period for small quantity handlers unless 273.15(b) requirements are met	142A	273.15(a)	26.13.10.17B(1)	X			
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	142A	273.15(b)	26.13.10.17B(2) (a) & (b)	X			
small quantity handlers must be able to demonstrate the length of time the universal waste has been accumulated; this demonstration is made by:	142A	273.15(c) intro	26.13.10.17B(3), (3)(a) & (3)(b)	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROAD 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	142A	273.15(c)(1)	26.13.10.17B(3)(b)(i)	X			
marking or labeling each individual item of universal waste with date it became a waste or was received	142A	273.15(c)(2)	26.13.10.17B(3)(b)(ii)	X			
maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received	142A	273.15(c)(3)	26.13.10.17B(3)(b)(iii)	X			
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	142A	273.15(c)(4)	26.13.10.17B(3)(b)(iv)	X			
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	142A	273.15(c)(5)	26.13.10.17B(3)(b)(v)	X			
any method clearly demonstrating the length of time that the universal waste has been accumulated	142A	273.15(c)(6)	26.13.10.17B(3)(b)(vi)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	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	142A	273.16	26.13.10.17C, C(1) & C(2)	X			
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† **RESPONSE TO RELEASES**

a small quantity handler must immediately contain all releases of universal waste and other residues from universal wastes	142A	273.17(a)	26.13.10.17D, D(1) & D(1)(a)	X			
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	142A	273.17(b)	26.13.10.17D(1) (b), D(2) & D(2)(a) & (b)	X			

† **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	142A	273.18(a)	26.13.10.18A, A(1) & A(1)(a)-(c)	X			
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	142A	273.18(b)	26.13.10.18A(2)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROAD IN SCOPE
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	142A	273.18(c)	26.13.10.18A(3)	X			
prior to shipment from the originating handler, the receiving handler must agree to receive the shipment	142A	273.18(d)	26.13.10.18A(4)	X			
if the receiving handler rejects the shipment, the originating handler must either:	142A	273.18(e) intro	26.13.10.18A(5)	X			
receive the waste back when notified that the shipment has been rejected, or	142A	273.18(e)(1)	26.13.10.18A(5) (a)	X			
agree with the receiving handler on a destination facility to which the shipment will be sent	142A	273.18(e)(2)	26.13.10.18A(5) (b)	X			
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:	142A	273.18(f) intro	26.13.10.18A(6) & A(6)(a)-(c)	X			
send the shipment back to the originating handler, or	142A	273.18(f)(1)	26.13.10.18A(6) (c)(i)	X			
if agreed to by both the originating and receiving handler, send the shipment to a destination facility	142A	273.18(f)(2)	26.13.10.18A(6) (c)(ii)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
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	142A	273.18(g)	26.13.10.18A(7) & A(7)(a)-(c)	X			
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	142A	273.18(h)	26.13.10.18A(8)	X			
† TRACKING UNIVERSAL WASTE SHIPMENTS							
small quantity handlers are not required to keep records of universal waste shipments	142A	273.19	26.13.10.18B	X			
† EXPORTS							
a small quantity handler who sends universal waste to a foreign destination must:	142A, [†152]	273.20 intro	26.13.10-18C & C(1)	X			
comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements	142A	273.20(a)	26.13.10.18C(1) (a)	X			
export only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent	142A	273.20(b)	26.13.10.18C(1) (b)	X			

SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROAD IN SCOPE
provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export	142A	273.20(c)	26.13.10.18C(1) (c)	X			

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

† APPLICABILITY

Part 273, Subpart C applies to large quantity handlers of universal waste	142A, [†181]	273.30	26.13.10.19A & A(1)	X			
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† PROHIBITIONS

a large quantity handler of universal waste is:	142A	273.31 intro	26.13.10.19B intro	X			
prohibited from disposing of universal waste; and	142A	273.31(a)	26.13.10.19B(1)	X			
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	142A	273.31(b)	26.13.10.19B(2) & B(2)(a) & (b)	X			

SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	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).]	142A, †142C	273.32(a)(1)	26.13.10.19C(1) & C(1)(b)	X			
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	142A	273.32(a)(2)	26.13.10.19C(2)	X			
a large quantity handler of 273.3(a)(1) recalled pesticides who has sent EPA notification as per 40 CFR 165 is not required to notify under 273.32 for those recalled universal wastes	142C	273.32(a)(3)	No analog	X			
what the notification must include:	142A	273.32(b) intro	26.13.10.19C(1) (a)	X			
the universal waste handler's name and mailing address	142A	273.32(b)(1)	26.13.10.19C(1) (a)(i)	X			
the name and business telephone number of the person at the universal waste handler's site who should be contacted	142A	273.32(b)(2)	26.13.10.19C(1) (a)(ii)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROAD IN SCOPE
The address or physical location of the universal waste management activities	142A	273.32(b)(3)	26.13.10.19C(1)(a)(iii)	X			
a list of all the types of universal waste managed by the handler	142A, [†181]	273.32(b)(4)	26.13.10.19C(1)(a)(iv)	X			
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	142A, [†181]	273.32(b)(5)	26.13.10.19C(1)(a)(v)	X			

† **WASTE MANAGEMENT**

large quantity handlers of universal waste must manage waste batteries to prevent release	142B	273.33(a)	26.13.10.20A	X			
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	142B	273.33(a)(1)	26.13.10.20A	X			
allowable activities as long as battery casing remains intact and closed	142B	273.33(a)(2) intro	26.13.10.20A	X			
		273.33(a)(2)(i)	26.13.10.20A	X			
		273.33(a)(2)(ii)	26.13.10.20A	X			
		273.33(a)(2) (iii)	26.13.10.20A	X			
		273.33(a)(2) (iv)	26.13.10.20A	X			
		273.33(a)(2)(v)	26.13.10.20A	X			
		273.33(a)(2) (vi)	26.13.10.20A	X			
		273.33(a)(2) (vii)	26.13.10.20A	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
testing of electrolyte and other solid wastes to determine if hazardous waste characteristic is exhibited	142B	273.33(a)(3) intro	26.13.10.20A	X			
		273.33(a)(3)(i)	26.13.10.20A	X			
		273.33(a)(3)(ii)	26.13.10.20A	X			
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:	142C	273.33(b) intro	26.13.10.20B	X			
a container that remains closed, structurally sound, compatible with the pesticide, and lacks evidence of leakage, spillage, or damage that could cause a leak	142C	273.33(b)(1)	26.13.10.20B	X			
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	142C	273.33(b)(2)	26.13.10.20B	X			
a tank meeting the Part 265, Subpart J requirements (except for 265.197(c), 265.200 and 265.201); or	142C	273.33(b)(3)	26.13.10.20B	X			
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	142C	273.33(b)(4)	26.13.10.20B	X			
large quantity handler must manage universal waste thermostats to prevent releases	142D	273.33(c) intro	26.13.10.20C	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD IN SCOPE
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	142D	273.33(c)(1)	26.13.10.20C	X			
10 large quantity handler of universal waste may remove mercury- constraining ampules from universal waste thermostats provided specific conditions are met	142D	273.33(c)(2) intro	26.13.10.20C	X			
		273.33(c)(2)(i)	26.13.10.20C	X			
		273.33(c)(2)(ii)	26.13.10.20C	X			
		273.33(c)(2) (iii)	26.13.10.20C	X			
		273.33(c)(2) (iv)	26.13.10.20C	X			
		273.33(c)(2)(v)	26.13.10.20C	X			
		273.33(c)(2) (vi)	26.13.10.20C	X			
		273.33(c)(2) (vii)	26.13.10.20C	X			
large quantity handlers who remove mercury- containing ampules from thermostats must determine whether specified conditions exhibit a hazardous waste characteristic	142D	273.33(c)(3)(i) intro	26.13.10.20C	X			
		273.33(c)(3)(i) (A)	26.13.10.20C	X			
		273.33(c)(3)(i) (B)	26.13.10.20C	X			
		273.33(c)(3)(ii)	26.13.10.20C	X			
		273.33(c)(3) (iii)	26.13.10.20C	X			
large quantity handlers of universal waste must manage lamps to prevent releases	[181]	273.33(d)	26.13.10.20D	X			
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]	273.33(d)(1)	26.13.10.20D	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
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)	26.13.10.20D	X			
<b>† LABELING/MARKING</b>							
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)	142A	273.34 intro	26.13.10.21A	X			
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)"	142B	273.34(a)	26.13.10.21A	X			
for recalled 273.3(a)(1) pesticides, the container (or multiple container unit), tank, transport vehicle or vessel must be labeled/marked with:	142C	273.34(b) intro	26.13.10.21A	X			
the label that was on or accompanied the product as sold or distributed	142C	273.34(b)(1)	26.13.10.21A	X			
the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)"	142C	273.34(b)(2)	26.13.10.21A	X			
how unused 273.3(a)(2) pesticides, the container, tank or transport vehicle or vessel must be labeled/marked		273.34(c) intro	26.13.10.21A	X			
		273.34(c)(1)(i)	26.13.10.21A	X			
		273.34(c)(1)(ii)	26.13.10.21A	X			
	142C	273.34(c)(1) (iii)	26.13.10.21A	X			

SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD IN SCOPE
the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)"	142C	273.34(c)(2)	26.13.10.21A	X			
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)"	142D	273.34(d)	26.13.10.21A	X			
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)	26.13.10.21A	X			
† ACCUMULATION TIME LIMITS							
one year accumulation period for large quantity handlers, unless 273.35(b) requirements are met	142A	273.35(a)	26.13.10.21B	X			
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	142A	273.35(b)	26.13.10.21B	X			
large quantity handlers must be able to demonstrate the length of time the universal waste has been accumulated; this demonstration is made by:	142A	273.35(c) intro	26.13.10.21B	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	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	142A	273.35(c)(1)	26.13.10.21B	X			
marking or labeling the individual item of universal waste with the date it became a waste or was received	142A	273.35(c)(2)	26.13.10.21B	X			
maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received	142A	273.35(c)(3)	26.13.10.21B	X			
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	142A	273.35(c)(4)	26.13.10.21B	X			
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	142A	273.35(c)(5)	26.13.10.21B	X			
any other method clearly demonstrating the length of time that the universal waste has been accumulated	142A	273.35(c)(6)	26.13.10.21B	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

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

† **EMPLOYEE TRAINING**

large quantity handlers must ensure that employees are thoroughly familiar with proper waste handling and emergency procedures	142A	273.36	26.13.10.21C	X			
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† **RESPONSE TO RELEASES**

a large quantity handler must immediately contain all releases of universal waste and other residues from universal wastes	142A	273.37(a)	26.13.10.21D	X			
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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	142A	273.37(b)	26.13.10.21D	X			
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† **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	142A	273.38(a)	26.13.10.21E	X			
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SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
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	142A	273.38(b)	26.13.10.21E	X			
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	142A	273.38(c)	26.13.10.21E	X			
prior to shipment from the originating handler, the receiving handler must agree to receipt of shipment	142A	273.38(d)	26.13.10.21E	X			
if the receiving handler rejects the shipment, the originating handler must either:	142A	273.38(e) intro	26.13.10.21E	X			
receive the waste back when notified that the shipment has been rejected, or	142A	273.38(e)(1)	26.13.10.21E	X			
agree with the receiving handler on a destination facility to which the shipment will be sent	142A	273.38(e)(2)	26.13.10.21E	X			
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:	142A	273.38(f) intro	26.13.10.21E	X			
send the shipment back to the originating handler, or	142A	273.38(f)(1)	26.13.10.21E	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROAD IN SCOPE
if agreed to by both the originating and receiving handler, send the shipment to a destination facility	142A	273.38(f)(2)	26.13.10.21E	X			
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	142A	273.38(g)	26.13.10.21E	X			
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	142A	273.38(h)	26.13.10.21E	X			
<b>† TRACKING UNIVERSAL WASTE SHIPMENTS</b>							
large quantity handlers must keep a record of each universal waste shipment received; what form the record can take; the record must include:	142A	273.39(a) intro	26.13.10.21F(1) & F(1)(a)-(c)	X			
name and address of originating handler or foreign shipper	142A	273.39(a)(1)	26.13.10.21F(1)(c)(i)	X			
quantity of each type of universal waste received	142A	273.39(a)(2)	26.13.10.21F(1)(c)(ii)	X			
the date the shipment was received	142A	273.39(a)(3)	26.13.10.21F(1)(c)(iii)	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (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 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:	142A	273.39(b) intro	26.13.10.21F(2) & F(2)(a)-(c)	X			
name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent	142A	273.39(b)(1)	26.13.10.21F(2)(c)(i)	X			
quantity of each universal waste type sent	142A	273.39(b)(2)	26.13.10.21F(2)(c)(ii)	X			
the date the shipment left the facility	142A	273.39(b)(3)	26.13.10.21F(2)(c)(iii)	X			
large quantity handlers must retain the 273.39(a) records for at least 3 years from the date of receipt of a shipment	142A	273.39(c)(1)	26.13.10.21F(3) & F(3)(a)	X			
large quantity handlers must retain the 273.39(b) records for at least 3 years from the date a shipment left the facility	142A	273.39(c)(2)	26.13.10.21F(3) & F(3)(b)	X			

† EXPORTS

a large quantity handler who sends universal waste to a foreign destination must:	142A, [†152]	273.40 intro	26.13.10.21G	X			
comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements	142A	273.40(a)	26.13.10.21G	X			

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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADI- IN SCOPE
export only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent as defined in 262, Subpart E	142A	273.40(b)	26.13.10.21G	X			
provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export	142A	273.40(c)	26.13.10.21G	X			
<b>SUBPART D--STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS</b>							
† APPLICABILITY							
Part 273, Subpart D applies to universal waste transporters	142A, [†181]	273.50	26.13.10.22A	X			
† PROHIBITIONS							
a universal waste transporter is:	142A	273.51 intro	26.13.10.22B intro	X			
prohibited from disposing of universal waste	142A	273.51(a)	26.13.10.22B(1)	X			
prohibited from diluting or treating universal waste, except by responding to releases as 273.54 provides	142A	273.51(b)	26.13.10.22B(2)	X			

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SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

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

† WASTE MANAGEMENT

<p>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</p>	142A	273.52(a)	26.13.10.22C(1) & (2)(a)	X			
<p>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"</p>	142A	273.52(b)	26.13.10.22C(1) & (2)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

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

† STORAGE TIME LIMITS

universal waste transporters may store universal wastes at a universal waste transfer facility for 10 days or less	142A	273.53(a)	26.13.10.22D(1)	X			
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	142A	273.53(b)	26.13.10.22D(2) & D(2)(a) & (b)	X			

† RESPONSE TO RELEASES

a universal waste transporter must immediately contain all releases of universal wastes and other residues from universal wastes	142A	273.54(a)	26.13.10.22E intro & E(1)	X			
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	142A	273.54(b)	26.13.10.22E intro & E(2)	X			

† 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	142A	273.55(a)	26.13.10.22F(1)	X			
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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
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	142A	273.55(b)	26.13.10.22F(2)	X			

† 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:	142A, [†152]	273.56 intro	26.13.10.22G intro, G(1), G(2) intro & G(2)(a)	X			
11 a copy of the EPA Acknowledgment of Consent accompanies the shipment	142A	273.56(a)	26.13.10.22G(2) (b)	X			
the shipment is delivered to the facility designated by the person initiating the shipment	142A	273.56(b)	26.13.10.22G(2) (c)	X			

**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	142A, [†181]	273.60(a)	26.13.10.23A(1)	X			
owner/operator of a destination facility who recycles without storing that universal waste must comply with 261.6(c)(2)	142A	273.60(b)	26.13.10.23A(2)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD IN SCOPE
† 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	142A	273.61(a)	26.13.10.23B(1)	X			
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:	142A	273.61(b) intro	26.13.10.23B(2), B(2)(a), B(2)(b) & B(2)(b)(i)	X			
send shipment back to the original shipper, or	142A	273.61(b)(1)	26.13.10.23B(2) (b)(ii)	X			
if agreed by both the shipper and the owner/operator, the shipment is sent to another destination facility	142A	273.61(b)(2)	26.13.10.23B(2) (b)(ii)	X			
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	142A	273.61(c)	26.13.10.23B(3) & B(3)(a)-(c)	X			

**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
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	142A	273.61(d)	26.13.10.23B(4)	X			

† **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:	142A	273.62(a) intro	26.13.10.23C(1) & C(1)(a)-(c)	X			
name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent	142A	273.62(a)(1)	26.13.10.23C(1)(c)(i)	X			
quantity of each universal waste type received	142A	273.62(a)(2)	26.13.10.23C(1)(c)(ii)	X			
the date the shipment was received	142A	273.62(a)(3)	26.13.10.23C(1)(c)(iii)	X			
273.62(a) records must be retained for at least three years from the date of receipt of shipment of universal waste	142A	273.62(b)	26.13.10.23C(2)	X			

**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.	142A, [†152]	273.70 intro	26.13.10.24A(1) & (2)	X			
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**SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROAD IN SCOPE
universal waste transporters are subject to the Part 273, Subpart D requirements	142A	273.70(a)	26.13.10.24B(1)	X			
universal waste handlers are subject to the small or large quantity waste handler requirements in Part 273, Subparts B or C	142A	273.70(b)	26.13.10.24B(2) & B(2)(a) & (b)	X			
owners/operators of destination facilities are subject to the Part 273, Subpart E requirements	142A	273.70(c)	26.13.10.24B (3)	X			
12 add new paragraph; persons managing universal waste imported from OECD country as specified in 262.58(a)(1) are subject to 273.70(a) through (c) in addition to part 262 subpart H	[152]	273.70(d)	26.13.10.24B(4) & B(4)(a) & (b)	X			

**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.	142E	273.80(a)	26.13.10.25A(1)	X			
what the petitioner must demonstrate to be successful; petition must include the 260.20(b) information; 273.81 factors	142E	273.80(b)	26.13.10.25A(2)	X			
Administrator will use the 273.81 factors to evaluate and decide; factors on which the decision will be based	142E	273.80(c)	26.13.10.25A(2)	X			

SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

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

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

waste or waste category is listed waste, or a proportion of waste stream exhibits 261 subpart C characteristics; amendment of universal waste definition; only that portion of waste stream exhibiting characteristics is subject to part 273	142E, [181]	273.81(a)	26.13.10.25B intro, B(1) intro, B(1)(a)&(b)	X			
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	142E	273.81(b)	26.13.10.25B(1) (c) intro, B(1) (c)(i)&(ii)	X			
waste or waste category is generated by a large number of generators and is frequently generated in small quantities by each generator	142E	273.81(c)	26.13.10.25B(1) (d) intro & B(1) (d)(i)&(ii)	X			
collection systems for waste or waste category would ensure close stewardship of the waste	142E	273.81(d)	26.13.10.25B(1) (e)	X			
low risk posed by accumulation and transport of waste or waste category; specific proposed management standards would be protective of human health and environment during accumulation and transport	142E	273.81(e)	26.13.10.25B(1) (f) & (g)	X			

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SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD- IN SCOPE
part 273 regulation of waste or waste category will increase likelihood waste will be diverted from non-hazardous waste management systems to recycling, treatment, or disposal in compliance with RCRA Subtitle C	142E	273.81(f)	26.13.10.25B(1) (h)	X			
part 273 regulation will improve implementation and compliance with hazardous waste regulatory program	142E	273.81(g)	26.13.10.25B(1)(i)	X			
such other factors as may be appropriate	142E	273.81(h)	26.13.10.25B(2)	X			

- 1 There is a typographical error in the Federal Register represented by Revision Checklist 181 (64 FR 36466; July 6, 1999): "part § 273 of this chapter" should be "part 273 of this chapter" (there should not be a section (§) symbol).
- 2 Revision Checklist 142A (60 FR 25492; May 11, 1995) made revisions to 261.5(f)(3)(v) and added 261.5(f)(3)(vi) into the code. Revision Checklist 153 (61 FR 34252; July 1, 1996) redesignated 261.5(f)(3)(v) & (vi) as 261.5(f)(3)(vi) & (vii).
- 3 Revision Checklist 142A (60 FR 25492; May 11, 1995) made revisions to 261.5(g)(3)(v) and added 261.5(g)(3)(vi) into the code. Revision Checklist 153 (61 FR 34252; July 1, 1996) redesignated 261.5(g)(3)(v) & (vi) as 261.5(f)(3)(vi) & (vii).
- 4 Revision Checklist 142B removed the text at 261.6(a)(3)(ii), and redesignated (a)(3)(iii) and (iv), as (a)(3)(ii) and (iii). It also redesignated (a)(3)(v) and (vi) as (a)(3)(iv) and (v). Revision Checklist 169 removed the text at (a)(3)(v).
- 5 Revision Checklist 142A (60 FR 25492; May 11, 1995) originally introduced 273.5 into the code. Revision Checklist 181 (64 FR 36466; July 6, 1999) redesignated old 273.5 as 273.8 and added a new paragraph at 273.5.
- 6 Revision Checklist 181 (64 FR 36466; July 6, 1999) redesignated old 273.6 as 273.9 and reserved 273.6.
- 7 There is a typographical error in the Federal Register represented by Revision Checklist 181 (64 FR 36466; July 6, 1999): "hazardous waste that are" should be "hazardous wastes that are".
- 8 There appears to be an error in the Federal Register represented by Revision Checklist 181 (64 FR 36466; July 6, 1999): the ending colons were inadvertently removed. Thus, subparagraph (1) should end "in § 273.2;" and subparagraph (2) should end "in § 273.3;".

SPECIAL CONSOLIDATED CHECKLIST:  
Universal Waste Rule as of June 30, 2001 (cont'd)

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

- 9 There is an error in the Federal Register article for Revision Checklist 142D. The "and" found at the end of 273.13(c)(2)(viii) should be at the end of 273.13(c)(2)(vii).
- 10 There is an error in the Federal Register article for Revision Checklist 142D. The "and" found at the end of 273.33(c)(2)(viii) should be at the end of 273.33(c)(2)(vii).
- 11 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.
- 12 The 40 CFR Part 262, Subpart H requirements will be administered by EPA and not the States because the exercise of foreign relations and international commerce powers is reserved to the Federal government under the Constitution. However, EPA strongly encourages States to incorporate these requirements into their regulations for the convenience of the regulated community and for completeness, particularly where a State has already incorporated the 40 CFR Part 262, Subparts E and F provisions into its regulations. The enforcement of the 40 CFR Part 262, Subpart H provisions remains EPA's responsibility even when States incorporate these requirements into their regulations. However, EPA recognizes that States play a key role in providing EPA with information on whether U.S. facilities designated to receive hazardous waste imports are authorized to manage specific wastes and in ensuring facility compliance with all applicable environmental laws and regulations.

The requirements in this rule apply to only those wastes identified or listed under the Federal program that are subject to Federal manifesting requirements. Thus, State-only wastes would not be subject to the import/export regulations addressed by this rule. The last section in this summary provides guidance and examples for appropriately incorporating these new requirements into State regulations.

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