TO BE RESCINDED

3745-273-13 **Waste management - standards for small quantity handlers of universal waste.**

(A) Universal waste batteries. A small quantity handler of universal waste must manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A small quantity handler of universal waste must contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

(2) A small quantity handler of universal waste may conduct the following activities as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):

(a) Sorting batteries by type;

(b) Mixing battery types in one container;

(c) Discharging batteries so as to remove the electric charge;

(d) Regenerating used batteries;

(e) Disassembling batteries or battery packs into individual batteries or cells;

(f) Removing batteries from consumer products; or

(g) Removing electrolyte from batteries.

(3) A small quantity handler of universal waste who removes electrolyte from batteries, or who generates other waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed in paragraph (A)(2) of this rule, must determine whether the electrolyte and/or other waste exhibit a characteristic of hazardous waste identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code.

(a) If the electrolyte and/or other waste exhibit a characteristic of hazardous waste, it is subject to all applicable requirements of Chapters 3745-50 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the

Administrative Code. The handler is considered the generator of the hazardous electrolyte and/or other waste and is subject to Chapter 3745-52 of the Administrative Code.

(b) If the electrolyte or other waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable law.

(B) Universal waste pesticides. A small quantity handler of universal waste must manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:

(1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; or

(2) A container that does not meet the requirements of paragraph (B)(1) of this rule, provided that the unacceptable container is overpacked in a container that does meet the requirements of paragraph (B)(1) of this rule; or

(3) A tank that meets the requirements of rules 3745-66-90 to 3745-66-101 of the Administrative Code, except for paragraph (C) of rule 3745-66-97, rule 3745-66-100, and rule 3745-66-101 of the Administrative Code; or

(4) 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 leakage under reasonably foreseeable conditions.

(C) Universal waste mercury-containing equipment. A small quantity handler of universal waste must manage universal waste mercury-containing equipment in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A small quantity handler of universal waste must place in a container any universal waste mercury-containing equipment with non-contained elemental mercury or that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed, structurally sound, compatible with the contents of the device, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions, and must be reasonably designed to prevent the escape of mercury into the environment by volatilization or any other means.

(2) A small quantity handler of universal waste may remove mercury-containing ampules from universal waste mercury-containing equipment provided the handler:

(a) Removes and manages the ampules in a manner designed to prevent breakage of the ampules;

(b) Removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);

(c) 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 the requirements of rule 3745-52-34 of the Administrative Code;

(d) Immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of rule 3745-52-34 of the Administrative Code;

(e) Ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;

(f) Ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;

(g) Stores removed ampules in closed, non-leaking containers that are in good condition;

(h) Packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation; and

(3) A small quantity handler of universal waste mercury-containing equipment that does not contain an ampule may remove the open original housing holding the mercury from universal waste mercury-containing equipment provided the handler:

(a) Immediately seals the original housing holding the mercury with an air-tight seal to prevent the release of any mercury to the environment; and

(b) Follows all requirements for removing ampules and managing removed ampules under paragraph (C)(2) of this rule; and

(4)

(a) A small quantity handler of universal waste who removes mercury-containing ampules from mercury-containing equipment or seals mercury from mercury-containing equipment in its original housing must determine whether the following exhibit a characteristic of hazardous waste identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code:

(i) Mercury or clean-up residues resulting from spills or leaks; and/or

(ii) Other waste generated as a result of the removal of mercury-containing ampules or housings (e.g., the remaining mercury-containing device).

(b) If the mercury, residues, and/or other waste exhibit a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of Chapters 3745-50 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code. The handler is considered the generator of the mercury, residues, and/or other waste and must manage it in compliance with Chapter 3745-52 of the Administrative Code.

(c) If the mercury, residues, and/or other waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable law.

(D) Universal waste lamps. A small quantity handler of universal waste must manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

(2) A small quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps, and must lack evidence of leakage, spillage, or damage that could

cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

Effective:

Five Year Review (FYR) Dates: Exempt

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Certification

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