

## Ohio Hazardous Waste

# Notifier

A Publication of Ohio EPA, Division of Hazardous Waste Management

### DHWM Launches Lamp Initiative

By DHWM's Mercury Lamp Workgroup

To help businesses, offices or other non-residential settings manage used lamps correctly, DHWM launched a Lamp Initiative in January 2007. The goal of our initiative is to provide information on how to properly manage waste lamps. During the past few years, Ohio EPA has observed that many routinely inspected businesses do not manage lamps correctly. Many businesses, offices and other non-residential settings don't realize that used lamps can be hazardous because of the mercury, lead, cadmium and barium they contain.



When Ohio EPA uses the term "lamp," it includes: incandescent, fluorescent, metal halide, neon, high-intensity discharge (HID), high-pressure sodium, mercury-vapor and LED lamps. Many businesses, offices and other non-residential settings generate numerous used lamps but do not realize that they must evaluate them before disposal. According to Ohio Administrative Code (OAC) rule **3745-52-11**, all wastes must be evaluated to determine if they are hazardous.

#### Why are waste lamps harmful?

A small amount of mercury is needed in all fluorescent and HID lamps to make the lamp work. When a lamp breaks or is disposed in a solid waste landfill or incinerator, the mercury can contaminate air, soil, surface water and ground water. Mercury, lead, cadmium and barium can accumulate in living tissue and cause health problems. In the past few years, Ohio EPA has taken enforcement action against several companies for environmental contamination from mismanaged used lamps.

#### What is the best way to manage hazardous lamps?

Ohio EPA recommends that you manage your waste lamps under the Universal Waste Rule (UWR). The UWR eliminates many regulatory requirements such as waste evaluation, manifesting and record keeping. This rule ensures waste lamps will be properly recycled. By following the UWR, you will reduce the financial and regulatory burden on your company and help protect the environment.

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## Lamp Initiative

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### What is the UWR?

The UWR streamlines collection requirements for certain hazardous wastes: batteries, pesticides, mercury-containing equipment (such as thermostats) and lamps. The rule is designed to make it easier for you to collect these items and send them to be recycled. For more information on the UWR, see our **Universal Waste** guidance document.

### What if I decide not to manage my lamps under the UWR?

If you do not manage your lamps under the UWR, you must evaluate them to determine if they are hazardous. To evaluate your waste lamps you may either:

- Send a representative sample to a laboratory for testing; or
- Obtain complete up-to-date analysis of the lamps from the manufacturer.

### What if my lamps have green tips?

Some fluorescent lamp manufacturers have created “green tipped” lamps that they claim are not hazardous. Although it’s true that green tipped lamps contain less mercury than other lamps, this may not be enough to avoid being regulated as hazardous waste. For the lamps to be non-hazardous, and therefore not subject to the hazardous waste rules, the laboratory test results from a toxicity characteristic leaching procedure (TCLP) test must indicate that the constituent levels are less than all of the regulatory limits found in OAC rule [3745-51-24](#).

**Be Aware:** Some fluorescent lamps contain up to 40 mg of mercury!

Some examples of the regulatory limits expressed as concentrations in the TCLP leachate are:

- Mercury - 0.2 milligrams per liter (mg/L)
- Cadmium - 1.0 mg/L
- Lead - 5.0 mg/L
- Barium – 100.0 mg/L

When you are done using any lamps at your business, office or other non-residential setting, and are disposing or recycling them, they become a waste. According to OAC rule [3745-52-11](#), all wastes must be evaluated to determine if they are hazardous.

### What if I have non-hazardous lamps?

If you determine that your lamps are not hazardous, you have the option to manage them as solid waste. However, we encourage you to manage them under the UWR because it promotes recycling.

### Other Lamp Initiative Activities

To help educate businesses on proper lamp management, we created an easy-to-read fact sheet that we have disseminated to various trade associations to use in their newsletters. We also hope to reach generators that we traditionally have not inspected, such as commercial buildings, malls, and schools. By launching this initiative, we can provide everyone involved in lamp manufacturing, use and disposal, the information needed to properly manage lamps. We encourage you to recycle your lamps because it makes management easier, is more cost-effective and protects the environment.

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Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) will be conducting a telephone survey of businesses that may generate large numbers of used lamps to find out how they currently manage them, and if they are aware of proper management procedures. OCAPP and DHWM are both available to provide a free presentation on lamp management and the UWR. In addition, OCAPP offers free and confidential technical assistance to businesses for all of Ohio EPA's program areas.

Ensuring this waste stream is properly managed helps keep mercury and other harmful heavy metals out of our environment. If you have questions regarding this outreach effort please contact Helen Miller at (614) 644-2811 [helen.miller@epa.state.oh.us](mailto:helen.miller@epa.state.oh.us).

If you have general lamp management or hazardous waste questions, contact our Regulatory Services Unit at (614) 644-2917 or Jeff Mayhugh at [jeff.mayhugh@epa.state.oh.us](mailto:jeff.mayhugh@epa.state.oh.us).

## Resources:

Ohio EPA has developed resources to help you manage your lamps correctly.

- DHWM's web site: [www.epa.state.oh.us/dhwm](http://www.epa.state.oh.us/dhwm)
- DHWM 2007 Fact Sheet " *Fluorescent Lamps: What You Should Know* ": [www.epa.state.oh.us/dhwm/pdf/LampGuidance.pdf](http://www.epa.state.oh.us/dhwm/pdf/LampGuidance.pdf).
- OCAPP's Lamp Compliance Checklist [www.epa.state.oh.us/ocapp/sb/publications/Lampcompliance\\_checklist.pdf](http://www.epa.state.oh.us/ocapp/sb/publications/Lampcompliance_checklist.pdf)
- OCAPP is a one-stop location for answers and information about environmental regulations, compliance concerns and pollution prevention. All services of the office are FREE. OCAPP is an independent, non-regulatory office within Ohio EPA. This means that information obtained WILL NOT be shared with Ohio EPA inspection and enforcement staff. 1-800-329-7518 <http://www.epa.state.oh.us/ocapp/ocapp.html>.
- If you have other questions about hazardous waste, please ask the **Answer Place**, contact DHWM's Regulatory Services Unit at (614) 644-2917 or your **district office inspector**. 

### Lamp Recyclers in Ohio:

#### Environmental Recycling

527 E. Woodland Circle  
P.O. Box 167  
Bowling Green, OH 43402  
[wgrabowski@envrecycle.com](mailto:wgrabowski@envrecycle.com) [www.envrecycle.com](http://www.envrecycle.com)  
phone: (800) 284-9107 fax: (419) 354-5110

#### U.S.A. Lamp & Ballast Recycling

7806 Anthony Wayne Ave.  
Cincinnati, OH 45216  
[www.usalamp.com](http://www.usalamp.com)  
phone: (800) 778-6645  
fax: (513) 641-4156

# Can Washwater be Considered Used Oil?

By Rose McLean, RSU

Do not confuse oily washwater with used oil. This article will help you make the distinction between them.

Used oil may be called oily washwater under the Clean Water Act, but not all oily washwater is used oil as defined by the Resource Conservation and Recovery Act (RCRA). Oily washwater is subject to the hazardous waste rules (RCRA), but used oil is only subject to the used oil requirements; it is not subject to the hazardous waste generator, transporter, or treatment storage and disposal facility (TSD) standards when it is recycled.

When used oil is removed from a part by washing with a solvent (including water and a surfactant or detergent), the act of washing generates a new waste that is subject to a hazardous waste characterization. The used oil loses its identity in the washwater.

## Waste Determination for Oily Washwater

According to OAC rule **3745-51-01**, the washwater is a "spent material" because it was used during manufacture or treatment of the part, and as a result of contamination, can no longer serve the purpose for which it was produced unless it is processed. Spent materials are solid wastes when they are reclaimed and are considered to be reclaimed if they are regenerated or processed to produce a usable product or regenerated.

## Hazardous Waste Determination for Oily Washwater

If the washwater is not a listed waste and does not exhibit any characteristics of hazardous waste, then it is not subject to hazardous waste generator, transporter, or TSD standards. If the washwater is a listed hazardous waste, then it is subject to the hazardous waste generator, transporter, and/or TSD standards.

If the washwater is not a listed waste, but exhibits one or more of the characteristics of hazardous waste, then it is subject to hazardous waste generator, transporter, and/or TSD standards.

### References

50 FR 49174, 11/29/85

Oily waste was specifically addressed as distinct from used oil in the Federal Register preamble to the final used oil fuel rule on page 49174.

57 FR 41573, 9/10/92

Contamination of used oil through subsequent management is addressed in the Federal Register preamble to the final used oil management standards rule beginning on page 41573. 

# Time after Time

By Jeff Mayhugh, Supervisor, Regulatory Services Unit

People often ask us about the application of the term “weekly” for inspections of container accumulation areas required by **Ohio Administrative Code (OAC) rule 3745-65-74**.



The terms “weekly”, “daily”, “monthly”, “quarterly”, “semi-annually” and “annually” are not defined in Ohio’s hazardous waste rules. However, Ohio Revised Code § 1.44 provides the following definitions:

- (A) “Week” means seven consecutive days.
- (B) “Year” means twelve consecutive months.

Ohio Revised Code (ORC) §1.41 provides that ORC § 1.41 to § 1.59 apply to all statutes and to rules adopted under them.

The following are the Division of Hazardous Waste Management’s interpretation of frequency of events contained in the hazardous waste rules:

“Daily”- Means an event that must occur every day, that is, once within a calendar day period following the previous calendar day period.

“Weekly”- Means an event that must occur once within a seven day period following the previous event.

As an example, if you inspect the area where your containers are accumulated on Tuesday March 6, 2007 you must inspect the area again on or before the close of business on Tuesday March 13, 2007.

“Annual” or “annually”- Means an event that must occur in the same calendar month that it occurred in the previous year.

“Quarterly” - Means an event that occurs once every three months evenly spaced within a 12 consecutive month period (for groundwater monitoring the events should capture seasonal variations).

“Semi-annually”- Means an event that occurs once every six months evenly spaced within a 12 consecutive month period (for groundwater monitoring the events should capture seasonal variations).

For purposes of determining your generator status, you are required to count all hazardous waste generated during a specific calendar month. For example, the waste generated from the first day of the month until the last day of the month. (ie. January 1 through January 31 or February 1 through February 28 or 29 if leap year).



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# Notifier

Ted Strickland, Governor  
Chris Korleski, Director

Editor:

**Rose McLean**

Contributors:

**Pam Allen, Jeff Mayhugh  
Rose McLean,** and

DHWM's Mercury Lamp Workgroup:  
**Harry Sarvis-CO, Helen Miller-CO,  
Frank Basting-OCAPP, Melody Stewart-SEDO,  
Amber Hicks-NEDO, Lindsay Brown-CO,  
and Ed Damato-NEDO.**

Editorial Assistance:

**Carol Hester  
Cathryn Allen**

Graphics and Layout:

**Pattie Rhodes-Mehrle**

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