



Ohio-Specific Universal Waste

THIS POLICY DOES NOT HAVE THE FORCE OF LAW

Hazardous Waste Program

*Ohio EPA has added three new types of Universal Waste (UW) to our existing **UW Rules**. They are Paint and Paint-Related Waste, Antifreeze and Non-Empty Aerosol Containers. According to Ohio Administrative Code (OAC) rule **3745-51-09**, UWs are not fully regulated as hazardous waste. See OAC rule **3745-273-89** to learn which wastes are eligible to be managed as a universal waste under Chapter **3745-273**.*

These three waste streams may be managed as a universal waste within the state of Ohio. However, other states may not have designated these wastes as a UW. If you send an Ohio-Specific universal waste to or through another state, you must comply with that state's requirements for the transportation and management of the waste.

What are the New Categories of Universal Waste that meet the definition in OAC rule 3745-273-09?

Paint and Paint-Related Waste

"Paint" is defined as a pigmented or unpigmented powder coating, or a pigmented or unpigmented mixture of binder and suitable liquid resulting from commercial, industrial, mining, agricultural, and post-consumer activities that upon drying forms an adhering coating on the surface that the paint is applied. Powder coating is a surface coating that is applied as a dry powder and is fused into a continuous coating film using heat.

"Paint-related waste" means a material contaminated with paint that results from the packaging of paint, wholesale and retail operations, paint manufacturing, and paint application or removal activities, or a material derived from the reclamation of paint-related wastes that is recycled in a manner other than burning for energy recovery or used in a manner constituting disposal according to rules **3745-51-02** and **3745-266-20** of the Administrative Code. The waste codes typically associated with this waste stream could include; ignitability, heavy metals, characteristic and listed solvents.

Antifreeze

This category includes propylene glycol or ethylene glycol, including aggregated batches of propylene glycol or ethylene glycol, used as a heat transfer medium in an internal combustion engine; heating, ventilating, and air conditioning units; and electronics cooling applications; or used for winterizing equipment. In the past we have observed these waste codes due to cross contamination; benzene, heavy metals, characteristic and listed solvents.

Aerosol Containers

"Aerosol container" means a non-opening, non-refillable container that holds a substance under pressure and that can release the substance as a spray, gel, or foam by means of a propellant gas. The waste codes typically associated with this waste would be ignitable and numerous listed commercial chemical products depending on the product in the container.

Universal Waste

Universal Waste Entities

Handler:

UW handlers include persons who generate UW and persons who receive, and store UW generated by another UW handler. There are two classes of handlers. A Small Quantity Handler of Universal Waste (SQHUW) may store less than 5000 kg of UW at any time and a Large Quantity Handler of Universal Waste (LQHUW) may store 5000 kg or more of UW. The handler's management activities are limited to those specified in OAC rule [3745-273-13](#) for SQHUWs and OAC rule [3745-273-33](#) for LQHUWs.

Note: Universal Waste Handler categories (Small or Large Quantity Handlers) should not be confused with the hazardous waste generator categories, which include very small quantity generators (VSQGs), small quantity generators (SQGs), and large quantity generators (LQGs).

Transporter:

This person engages in the off-site transfer of UW by air, rail, highway, or water and must comply with all applicable U.S. Department of Transportation regulations. UW transporters may transport UW from one UW handler to another, to UW destination facilities or to foreign destinations. A person can be both a UW handler and a transporter.

Destination Facility:

A destination facility is defined in OAC rule [3745-273-09\(B\)](#) as a facility that treats, disposes or recycles the UW outside of those management activities described in paragraphs (A), (C), (E), (F), and (G) of rule 3745-273-13 of the Administrative Code and in paragraphs (A), (C), (E), (F), and (G) of rule 3745-273-33 of the Administrative Code. The owner or operator of a destination facility receives UW from UW transporters and UW handlers.

Note: Ohio EPA maintains a list of [recyclers](#) on our website.

The owner or operator of a destination facility that stores UW prior to treatment, disposal or recycling activities in a manner not specified in OAC 3745-273-13 or 3745-273-33 is fully regulated (including permitting, reporting and management requirements) under the hazardous waste rules and the UW received by this destination facility also becomes fully regulated under the hazardous waste rules. The owner or operator of the destination facility will have to ensure that the waste is properly characterized before conducting treatment or disposal activities in order to comply with LDR requirements. If the owner or operator of the destination facility conducts recycling in a manner not specified in OAC 3745-273-13 or 3745-273-33 without prior storage, they must comply with the requirements for recyclable materials found in OAC rule [3745-51-06\(C\)\(2\)](#). The owner or operator of a destination facility may manage the waste as a UW handler, transporter, or a recycler.

An owner or operator of a permitted hazardous waste facility could be a handler of any category of UW provided that they are only conducting the following management activities with respect to that UW. If the facility is generating a UW, accumulating UW, conducting UW activities described above in 273-13 and 273-33, and sending the UW to another handler or destination facility, then they are a handler of UW with respect to that category of UW.

Common Elements of all Universal Waste

A generator has the option of complying with either the UW rules or the hazardous waste generator rules with respect to the management of wastes identified as UWs. For more information on common UW management standards, please refer to Ohio EPA's Guidance Document titled [Universal Waste](#). The columns below list some of the common advantages and requirements of the UW rules.

ADVANTAGES

UWs do not count toward generator's status
Waste evaluation of UW is not required
Recycling encouraged (but not required)
No hazardous waste manifesting required
One-year accumulation time limit
Handlers may collect and store from other handlers
A hazardous waste transporter is not required

REQUIREMENTS

Compatible container, closed and labeled
Training requirement + (Basic UW training)
Spill cleanup requirement
Notification by LQHUW
Tracking required for LQHUWs/destination fac.
Transportation per DOT
Transporter may store UW \leq 10 days

Common Management requirements for Ohio-Specific Universal Wastes

Both small and large quantity handlers of UW shall manage the UW in a way that prevents releases of any UW to the environment using containers or tanks that are structurally sound and compatible with the UW. A container that does not comply shall be overpacked or taken out of service. Handlers must stop, contain, clean up and properly manage any release of UW.

The handlers shall keep containers closed except when adding or removing UW. Each container shall be labeled with words that identify the contents of the container, however, there is no specific wording required for these three wastes discussed in this guidance document.

Specific Management requirements for Ohio-Specific Universal Wastes for Small and Large Handlers

Paint and Paint-Related Waste

Both small and large quantity handlers of UW shall manage the wastes using containers or tanks. The tanks for SQHUW must comply with the requirements found in paragraphs (B) to (H) of rule 3745-66-101. Tanks for LQHUW need to comply with the large quantity generator requirements rules 3745-66-90 to 3745-66-99 except paragraph (C) of rule 3745-66-97 of the Administrative Code.

Any UW handler may reclaim UW paint, but UW paint-related waste may only be reclaimed by the generator of the waste or the destination facility (aka, a permitted Hazardous Waste facility). Handlers may puncture, shred or crush paint containers of 5-gallons or less using commercially available equipment, or equipment specifically custom designed or retrofitted to reclaim the UW paint or paint-related waste. The reclamation equipment must have sufficient processing capacity to reclaim the quantity of UW paint received or generated by the handler within one year. The handler shall train each operator of the reclamation equipment regarding the proper operation and maintenance of the reclamation equipment. The collected paint can still be classified as UW and may be stored in containers or tanks. However, any waste generated from the reclamation is a newly generated waste and needs to be *evaluated* to determine if it is hazardous. If a listed solvent is used in paint cleaning the waste generated from the distillation of the waste will carry the *listing*. Spills of UW paints or paint related waste will need to be *evaluated* to determine if it is hazardous waste.

Note: The formula to convert gallons of liquid paint to pounds:
Gallons x Specific Gravity x 8.345
= Amounts in pounds. To estimate the threshold for a Large Quantity Handler of UW, 5000 Kg is approximately 1100 lbs.

Antifreeze

Both small and large quantity handlers shall manage the UW antifreeze using containers or tanks. Handlers must comply with tank standards found in paragraphs (B) to (H) of rule 3745-66-101. A handler shall not commingle or contaminate antifreeze subsequent to its removal from the equipment in which it was used. The handler shall develop and maintain at the facility a procedure that describes how antifreeze will be prevented from being commingled and use dedicated collection and storage containers and tanks.

Universal Waste

Antifreeze mixed with used oil after generation does not qualify as a UW. The mixture is regulated as a used oil. A handler or destination facility that processes this used oil must notify Ohio EPA and comply with the used oil processor regulations.

A handler of UW may reclaim antifreeze provided they use commercially available equipment, or equipment specifically custom-designed or retrofitted to reclaim the antifreeze and the handler's reclamation equipment has sufficient processing capacity to reclaim the quantity of antifreeze received or generated by the handler within one year. The handler shall train each operator of the reclamation equipment regarding the proper operation and maintenance of the reclamation equipment. Any waste generated from the reclamation of the antifreeze is a newly generated waste and the handler must evaluate this waste to determine if it is hazardous. Spills of UW antifreeze that are recovered as a liquid or collected with an absorbent may be managed as UW antifreeze.

Aerosol Containers

Both small and large quantity handlers of UW waste shall manage the UW aerosol containers using containers, a cabinet, or other unit in which the aerosol containers are accumulated. A handler shall immediately empty a leaking aerosol container of the container's contents or shall individually overpack the leaking aerosol container in a container having enough absorbent material to absorb the leaking contents of the aerosol container. A handler of UW may puncture or crush an aerosol container to remove and collect the contents of the aerosol container rendering the container empty. A handler who generates the UW aerosol containers can collect these containers at a universal waste satellite accumulation area consisting of a container or unit having a capacity not to exceed fifty-five gallons, or a cabinet. The aerosol containers must be moved to the main UW storage or puncturing area when it is full, where it may be accumulated for up to one year. This is the only type of universal waste where a satellite accumulation container may be used.

A handler may puncture, or crush aerosol containers provided they use appropriately designed equipment with sufficient processing capacity. In addition, the puncturing of aerosol containers must be done in a ventilated area and protected from an ignition source. The collected material is not classified as a universal waste and will need to be *evaluated* to determine if it is hazardous waste. An exception is paint removed from an aerosol container (not comingled with other waste) may be managed as a UW paint.

Manifesting

Universal waste handlers and transporters are not required to use a hazardous waste manifest when the universal waste is being transported in Ohio. Transportation of these universal wastes in Ohio must be done in accordance with applicable DOT regulations. When these Ohio-Specific universal wastes are transported and managed outside of the state of Ohio they must be managed under that state's regulations which may mean that they must be transported using a hazardous waste manifest. Ohio EPA suggests that Ohio handlers complete a hazardous waste manifest for shipment of these Ohio-Specific universal wastes shipped outside of the state and include a statement on line 14 of the manifest stating that these wastes are universal wastes in Ohio.

Shipments by a generator in a state outside of Ohio which does not regulate these wastes as a UW may send it to an Ohio handler or destination facility. This waste must be moved initially by a hazardous waste transporter on a hazardous waste manifest while in the generator's state, or if passing through other states which do not regulate the waste as a UW, until it reaches Ohio. When in Ohio a hazardous waste manifest is not required, however, Ohio EPA suggests that the generator include a statement on line 14 of the hazardous waste manifest that these wastes are regulated as a universal waste in Ohio.

Contact

For more information, please review the guidance document with [Questions & Answers about Ohio-Specific Universal Waste](#). If you have more questions, contact the Hazardous Waste Compliance Assurance Section of the [Division of Environmental Response and Revitalization](#) at 614-644-2924.