

SPECIAL CONSOLIDATED CHECKLIST
for the
Universal Waste Rule as of **December 31, 2002**

This checklist consolidates changes to the Federal code addressed by the following Universal Waste (UW) checklists that have occurred through **December 31, 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 **December 31, 2002**:

- 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)].

No final rules were promulgated between June 30, 2001 and December 31, 2002 that affected the Universal Waste rule. Therefore, this consolidated checklist is identical to that of June 30, 2001.

(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.

(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.

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | 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 | | | | | |
| add "Battery" | 142B | 260.10 | | | | | |
| add "Destination Facility" | 142A | 260.10 | | | | | |
| add "Lamp" | 181 | 260.10 | | | | | |
| add "Pesticide" | 142C | 260.10 | | | | | |
| add "Thermostat" | 142D | 260.10 | | | | | |
| 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 | | | | | |
| to definition of "Universal Waste" add subparagraph addressing batteries | 142B, †181 | 260.10 | | | | | |
| to definition of "Universal Waste", add subparagraph addressing pesticides | 142C, †181 | 260.10 | | | | | |
| to definition of "Universal Waste" add subparagraph addressing thermostats | 142D, †181 | 260.10 | | | | | |
| to definition of "Universal Waste" add subparagraph addressing lamps | 181 | 260.10 | | | | | |
| add "Universal Waste Handler" | 142A | 260.10 | | | | | |
| add "Universal Waste Transporter" | 142A | 260.10 | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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 |
| 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) | | | | | |
| † 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) | | | | | |
| 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) | | | | | |
| Administrator will use 273.81 factors to evaluate and decide; factors on which the decision will be based | 142E | 260.23(c) | | | | | |
| Administrator may request additional information | 142E | 260.23(d) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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 |

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 | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| hazardous waste that is used oil managed under 261.6(a)(4) and Part 279; or | 142A | 261.5(c)(4) | | | | | |
| hazardous waste that is spent lead-acid batteries managed under Part 266, Subpart G; or | 142A | 261.5(c)(5) | | | | | |
| hazardous waste that is universal waste managed under 261.9 and Part 273 | 142A | 261.5(c)(6) | | | | | |
| included in rule, but not changed | 142A | 261.5(f)(3) intro | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| included in rule, but not changed | 142A | 261.5(f)(3)(i)-(iv) | | | | | |
| 2 included in rule, but not changed | 142A,153 | 261.5(f)(3)(vi) | | | | | |
| included in rule, but not changed | 142A,153 | 261.5(f)(3)(vi)(A) | | | | | |
| change the period to "; or" | 142A,153 | 261.5(f)(3)(vi)(B) | | | | | |
| 2 add new subparagraph addressing universal waste managed under Part 273 | 142A,153 | 261.5(f)(3)(vii) | | | | | |
| included in rule, but not changed | 142A | 261.5(g)(3) intro | | | | | |
| included in rule, but not changed | 142A | 261.5(g)(3)(i)-(iv) | | | | | |
| 3 included in rule, but not changed | 142A | 261.5(g)(3)(vi) | | | | | |
| included in rule, but not changed | 142A | 261.5(g)(3)(vi)(A) | | | | | |
| change the period to ", or" | 142A | 261.5(g)(3)(vi)(B) | | | | | |
| 3 add new subparagraph addressing universal waste managed under Part 273 | 142A | 261.5(g)(3)(vii) | | | | | |
| † 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| † 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 | | | | | |
| add paragraph addressing batteries | 142B | 261.9(a) | | | | | |
| add paragraph addressing pesticides | 142C,†181 | 261.9(b) | | | | | |
| add paragraph addressing thermostats | 142D,†181 | 261.9(c) | | | | | |
| add paragraph addressing lamps | 181 | 261.9(d) | | | | | |

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) | | | | | |
|--|------|---------------|--|--|--|--|--|

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 12 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) | | | | | |
| redesignate 261.10(c)-(f) as (d)-(g); redesignate 262.10(d)-(g) as 262.10(e)-(h) | 142A,152 | 262.10(e) - (h) | | | | | |
| † HAZARDOUS WASTE DETERMINATION | | | | | | | |
| add ", and 273" after "268" | 142A | 262.11(d) | | | | | |
| 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 | | | | | |
| add subparagraph addressing batteries | 142B | 264.1(g)(11)(i) | | | | | |
| add subparagraph addressing pesticides | 142C,†181 | 264.1(g)(11)(ii) | | | | | |
| add subparagraph addressing thermostats | 142D,†181 | 264.1(g)(11)(iii) | | | | | |
| add subparagraph addressing lamps | 181 | 264.1(g)(11)(iv) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 |
| 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 | | | | | |
| add subparagraph addressing batteries | 142B | 265.1(c)(14)(i) | | | | | |
| add subparagraph addressing pesticides | 142C,†181 | 265.1(c)(14)(ii) | | | | | |
| add subparagraph addressing thermostats | 142D,†181 | 265.1(c)(14)(iii) | | | | | |
| add subparagraph addressing lamps | 181 | 265.1(c)(14)(iv) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 |
| 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) | | | | | |
| add new table; spent lead-acid batteries exemptions | 176 | 266.80(a)/Table | | | | | |
| 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 | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| Interim Status Facilities must comply with specified requirements | 176 | 266.80(b)(1) intro | | | | | |
| | | 266.80(b)(1)(i) | | | | | |
| | | 266.80(b)(1)(ii) | | | | | |
| | | 266.80(b)(1)(iii) | | | | | |
| | | 266.80(b)(1)(iv) | | | | | |
| | | 266.80(b)(1)(v) | | | | | |
| | | 266.80(b)(1)(vi) | | | | | |
| | | 266.80(b)(1)(vii) | | | | | |
| ? | | 266.80(b)(2) intro | | | | | |
| | | 266.80(b)(2)(i) | | | | | |
| | | 266.80(b)(2)(ii) | | | | | |
| | | 266.80(b)(2)(iii) | | | | | |
| | | 266.80(b)(2)(iv) | | | | | |
| | | 266.80(b)(2)(v) | | | | | |
| | | 266.80(b)(2)(vi) | | | | | |
| Permitted Facilities must comply with specified requirements | 176 | 266.80(b)(2)(vii) | | | | | |

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 | | | | | |
| add subparagraph addressing batteries | 142B | 268.1(f)(1) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| 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 | 268.1(f)(2) | | | | | |
| add subparagraph addressing thermostats | 142D,†181 | 268.1(f)(3) | | | | | |
| add subparagraph addressing lamps | 181 | 268.1(f)(4) | | | | | |

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 | | | | | |
| add subparagraph addressing batteries | 142B | 270.1(c)(2)(viii)(A) | | | | | |
| add subparagraph addressing pesticides | 142C,†181 | 270.1(c)(2)(viii)(B) | | | | | |
| add subparagraph addressing thermostats | 142D,†181 | 270.1(c)(2)(viii)(C) | | | | | |
| add subparagraph addressing lamps | 181 | 270.1(c)(2)(viii)(D) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

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

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 | | | | | |
| add subparagraph addressing batteries | 142B | 273.1(a)(1) | | | | | |
| add subparagraph addressing pesticides | 142C,†181 | 273.1(a)(2) | | | | | |
| add subparagraph addressing thermostats | 142D,†181 | 273.1(a)(3) | | | | | |
| add subparagraph addressing lamps | 181 | 273.1(a)(4) | | | | | |
| Part 273 provides an alternate set of management standards in lieu of regulation under Parts 260-272 | 142A | 273.1(b) | | | | | |

† 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) | | | | | |
| spent lead-acid batteries not managed under Part 266, Subpart G are subject to management under Part 273 | 142B | 273.2(a)(2) | | | | | |
| requirements of Part 273 do not apply to persons managing the following batteries: | 142B | 273.2(b) intro | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| spent lead-acid batteries managed under Part 266, Subpart G | 142B | 273.2(b)(1) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| a used battery becomes a waste on the date it is discarded | 142B | 273.2(c)(1) | | | | | |
| an unused battery becomes a waste on the date the handler decides to discard it | 142B | 273.2(c)(2) | | | | | |

† 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 | | | | | |
| | | 273.3(a)(1) intro | | | | | |
| | | 273.3(a)(1)(i) | | | | | |
| recalled pesticides | 142C | 273.3(a)(1)(ii) | | | | | |
| stocks of other unused pesticide products collected and managed as part of a waste pesticide collection program | 142C | 273.3(a)(2) | | | | | |
| requirements of Part 273 do not apply to persons managing the following pesticides: | 142C | 273.3(b) intro | | | | | |

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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 |
| recalled 273.3(a)(1)&(2) pesticides managed by farmers in compliance with 262.70 | 142C | 273.3(b)(1) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| pesticides that are not hazardous waste (i.e., is not listed nor exhibits a characteristic) | 142C | 273.3(b)(4) | | | | | |
| a recalled 273.3(a)(1) pesticide becomes a waste when both specified conditions occur | 142C | 273.3(c)(1) intro | | | | | |
| | | 273.3(c)(1)(i) | | | | | |
| | | 273.3(c)(1)(ii) | | | | | |
| 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) | | | | | |
| pesticides that are not wastes: | 142C | 273.3(d) intro | | | | | |
| recalled 273.3(a)(1) pesticides, provided the person conducting the recall meets specified conditions | 142C | 273.3(d)(1) intro | | | | | |
| | | 273.3(d)(1)(i) | | | | | |
| | | 273.3(d)(1)(ii) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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 |

† APPLICABILITY--MERCURY THERMOSTATS

| | | | | | | | |
|---|-----------|----------------|--|--|--|--|--|
| requirements of part 273 apply to persons managing 273.9 thermostats, except those in 273.4(b) list | 142D,†181 | 273.4(a) | | | | | |
| requirements of part 273 do not apply to persons managing the following thermostats: | 142D | 273.4(b) intro | | | | | |
| thermostats not yet wastes under Part 261; 273.4(c) describes when a thermostat becomes a waste | 142D | 273.4(b)(1) | | | | | |
| thermostats that are not hazardous waste (i.e., they do not exhibit a characteristic) | 142D | 273.4(b)(2) | | | | | |
| a used thermostat becomes a waste on the date it is discarded | 142D | 273.4(c)(1) | | | | | |
| an unused thermostat becomes a waste on the date handler decides to discard it | 142D | 273.4(c)(2) | | | | | |

†,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) | | | | | |
| requirements of part 273 do not apply to persons managing the following lamps: | 181 | 273.5(b) intro | | | | | |
| lamps not yet wastes under part 261; 273.5(c) describes when a lamp becomes a waste | 181 | 273.5(b)(1) | | | | | |
| lamps that are not hazardous waste (i.e., they do not exhibit a characteristic) | 181 | 273.5(b)(2) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| a used lamp becomes a waste on the date it is discarded | 181 | 273.5(c)(1) | | | | | |
| an unused lamp becomes a waste on the date handler decides to discard it | 181 | 273.5(c)(2) | | | | | |
| RESERVED | | | | | | | |
| †,6 add and reserve | 181 | 273.6 | | | | | |
| † add and reserve | 181 | 273.7 intro | | | | | |
| †,? 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 | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| 273.5(a)(1)&(2) wastes commingled with universal wastes are regulated under Part 273 | 142A, †181 | 273.8(b) | | | | | |
| †,6 DEFINITIONS | | | | | | | |
| add "Battery" | 142B, †181 | 273.9 | | | | | |
| add "Destination facility" | 142A, †181 | 273.9 | | | | | |
| add "FIFRA" | 142C, †181 | 273.9 | | | | | |
| add "Generator" | 142A, †181 | 273.9 | | | | | |
| add "Lamp" | 181 | 273.9 | | | | | |
| add "Large Quantity Handler of Universal Waste" | 142A, †181 | 273.9 | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| add "On-site" | 142A,†181 | 273.9 | | | | | |
| add "Pesticide" | 142C,†181 | 273.9 | | | | | |
| add "Small Quantity Handler of Universal Waste" | 142A,176,†181 | 273.9 | | | | | |
| add "Thermostat" | 142D,†181 | 273.9 | | | | | |
| 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 | | | | | |
| 8 add a subparagraph addressing batteries to the definition of "Universal Waste" | 142B,†181 | 273.9(1) | | | | | |
| 8 add a subparagraph addressing pesticides to the definition of "Universal Waste" | 142C,†181 | 273.9(2) | | | | | |
| add a subparagraph addressing thermostats to the definition of "Universal Waste" | 142D,†181 | 273.9(3) | | | | | |
| add a subparagraph addressing lamps to the definition of "Universal Waste" | 181 | 273.9(4) | | | | | |
| add "Universal Waste Handler" | 142A,†181 | 273.9 | | | | | |
| add "Universal Waste Transfer Facility" | 142A,†181 | 273.9 | | | | | |
| add "Universal Waste Transporter" | 142A,†181 | 273.9 | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 |
| 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 | | | | | |
| † PROHIBITIONS | | | | | | | |
| a 273.6 small quantity generator of universal waste is: | 142A | 273.11 intro | | | | | |
| prohibited from disposing of universal waste | 142A | 273.11(a) | | | | | |
| prohibited from diluting or treating universal waste, except as provided | 142A | 273.11(b) | | | | | |
| † NOTIFICATION | | | | | | | |
| a small quantity handler of a universal waste is not required to notify EPA | 142A | 273.12 | | | | | |
| † WASTE MANAGEMENT | | | | | | | |
| small quantity handlers of universal waste must manage waste batteries to prevent release | 142B | 273.13(a) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| allowable activities as long as battery casing remains intact and closed | 142B | 273.13(a)(2) intro | | | | | |
| | | 273.13(a)(2)(i) | | | | | |
| | | 273.13(a)(2)(ii) | | | | | |
| | | 273.13(a)(2)(iii) | | | | | |
| | | 273.13(a)(2)(iv) | | | | | |
| | | 273.13(a)(2)(v) | | | | | |
| | | 273.13(a)(2)(vi) | | | | | |
| | | 273.13(a)(2)(vii) | | | | | |
| testing of electrolyte and other solid wastes to determine if hazardous waste characteristic is exhibited | 142B | 273.13(a)(3) intro | | | | | |
| | | 273.13(a)(3)(i) | | | | | |
| | | 273.13(a)(3)(ii) | | | | | |
| 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 | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| a tank meeting the Part 265, Subpart J requirements (except for 265.197(c), 265.200 and 265.201) | 142C | 273.13(b)(3) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 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) | | | | | |
| small quantity handler must manage universal waste thermostats to prevent releases | 142D | 273.13(c) intro | | | | | |
| 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) | | | | | |
| 9 small quantity handler of universal waste may remove mercury-constraining ampules from universal waste thermostats provided specific conditions are met | 142D | 273.13(c)(2) intro | | | | | |
| | | 273.13(c)(2)(i) | | | | | |
| | | 273.13(c)(2)(ii) | | | | | |
| | | 273.13(c)(2)(iii) | | | | | |
| | | 273.13(c)(2)(iv) | | | | | |
| | | 273.13(c)(2)(v) | | | | | |
| | | 273.13(c)(2)(vi) | | | | | |
| | | 273.13(c)(2)(vii) | | | | | |
| | | 273.13(c)(2)(viii) | | | | | |
| 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 | | | | | |
| | | 273.13(c)(3)(i)(A) | | | | | |
| | | 273.13(c)(3)(i)(B) | | | | | |
| | | 273.13(c)(3)(ii) | | | | | |
| | | 273.13(c)(3)(iii) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| small quantity handlers of universal waste must manage lamps to prevent releases | 181 | 273.13(d) intro | | | | | |
| 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) | | | | | |
| 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) | | | | | |

† 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 | | | | | |
| 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) | | | | | |
| 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 | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| the label that was on or accompanied the product as sold or distributed | 142C | 273.14(b)(1) | | | | | |
| the words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)" | 142C | 273.14(b)(2) | | | | | |
| how unused 273.3(a)(2) pesticides, the container, tank or transport vehicle or vessel must be labeled/marked | 142C | 273.14(c) intro | | | | | |
| | | 273.14(c)(1)(i) | | | | | |
| | | 273.14(c)(1)(ii) | | | | | |
| | | 273.14(c)(1)(iii) | | | | | |
| the words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)" | 142C | 273.14(c)(2) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| † ACCUMULATION TIME LIMITS | | | | | | | |
| one year accumulation period for small quantity handlers unless 273.15(b) requirements are met | 142A | 273.15(a) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 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) | | | | | |
| 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 | | | | | |
| 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) | | | | | |
| marking or labeling each individual item of universal waste with date it became a waste or was received | 142A | 273.15(c)(2) | | | | | |
| maintaining an inventory system on-site that identifies the date each universal waste became a waste or was received | 142A | 273.15(c)(3) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 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) | | | | | |
| any method clearly demonstrating the length of time that the universal waste has been accumulated | 142A | 273.15(c)(6) | | | | | |
| † 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 | | | | | |
| † 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) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| † 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) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| prior to shipment from the originating handler, the receiving handler must agree to receive the shipment | 142A | 273.18(d) | | | | | |
| if the receiving handler rejects the shipment, the originating handler must either: | 142A | 273.18(e) intro | | | | | |
| receive the waste back when notified that the shipment has been rejected, or | 142A | 273.18(e)(1) | | | | | |
| agree with the receiving handler on a destination facility to which the shipment will be sent | 142A | 273.18(e)(2) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 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 | | | | | |
| send the shipment back to the originating handler, or | 142A | 273.18(f)(1) | | | | | |
| if agreed to by both the originating and receiving handler, send the shipment to a destination facility | 142A | 273.18(f)(2) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| † TRACKING UNIVERSAL WASTE SHIPMENTS | | | | | | | |
| small quantity handlers are not required to keep records of universal waste shipments | 142A | 273.19 | | | | | |
| † EXPORTS | | | | | | | |
| 12 a small quantity handler who sends universal waste to a foreign destination must: | 142A, †152 | 273.20 intro | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements | 142A | 273.20(a) | | | | | |
| export only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent | 142A | 273.20(b) | | | | | |
| provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export | 142A | 273.20(c) | | | | | |

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 | | | | | |
|---|-----------|--------|--|--|--|--|--|

† **PROHIBITIONS**

| | | | | | | | |
|--|------|--------------|--|--|--|--|--|
| a large quantity handler of universal waste is: | 142A | 273.31 intro | | | | | |
| prohibited from disposing of universal waste; and | 142A | 273.31(a) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| what the notification must include: | 142A | 273.32(b) intro | | | | | |
| the universal waste handler's name and mailing address | 142A | 273.32(b)(1) | | | | | |
| 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) | | | | | |
| the address or physical location of the universal waste management activities | 142A | 273.32(b)(3) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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 list of all the types of universal waste managed by the handler | 142A,†181 | 273.32(b)(4) | | | | | |
| 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) | | | | | |

† WASTE MANAGEMENT

| | | | | | | | |
|---|------|--------------------|--|--|--|--|--|
| large quantity handlers of universal waste must manage waste batteries to prevent release | 142B | 273.33(a) | | | | | |
| 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) | | | | | |
| | | 273.33(a)(2) intro | | | | | |
| | | 273.33(a)(2)(i) | | | | | |
| | | 273.33(a)(2)(ii) | | | | | |
| | | 273.33(a)(2)(iii) | | | | | |
| | | 273.33(a)(2)(iv) | | | | | |
| | | 273.33(a)(2)(v) | | | | | |
| | | 273.33(a)(2)(vi) | | | | | |
| allowable activities as long as battery casing remains intact and closed | 142B | 273.33(a)(2)(vii) | | | | | |
| | | 273.33(a)(3) intro | | | | | |
| testing of electrolyte and other solid wastes to determine if hazardous waste characteristic is exhibited | 142B | 273.33(a)(3)(i) | | | | | |
| | | 273.33(a)(3)(ii) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 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 | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| large quantity handler must manage universal waste thermostats to prevent releases | 142D | 273.33(c) intro | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 |
| 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) | | | | | |
| 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 | | | | | |
| | | 273.33(c)(2)(i) | | | | | |
| | | 273.33(c)(2)(ii) | | | | | |
| | | 273.33(c)(2)(iii) | | | | | |
| | | 273.33(c)(2)(iv) | | | | | |
| | | 273.33(c)(2)(v) | | | | | |
| | | 273.33(c)(2)(vi) | | | | | |
| | | 273.33(c)(2)(vii) | | | | | |
| | | 273.33(c)(2)(viii) | | | | | |
| 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 | | | | | |
| | | 273.33(c)(3)(i)(A) | | | | | |
| | | 273.33(c)(3)(i)(B) | | | | | |
| | | 273.33(c)(3)(ii) | | | | | |
| | | 273.33(c)(3)(iii) | | | | | |
| large quantity handlers of universal waste must manage lamps to prevent releases | 181 | 273.33(d) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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) | | | | | |

† LABELING/MARKING

| | | | | | | | |
|--|------|-----------------|--|--|--|--|--|
| 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 | | | | | |
| 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) | | | | | |
| 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 | | | | | |
| the label that was on or accompanied the product as sold or distributed | 142C | 273.34(b)(1) | | | | | |
| the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)" | 142C | 273.34(b)(2) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| how unused 273.3(a)(2) pesticides, the container, tank or transport vehicle or vessel must be labeled/marked | 142C | 273.34(c) intro | | | | | |
| | | 273.34(c)(1)(i) | | | | | |
| | | 273.34(c)(1)(ii) | | | | | |
| | | 273.34(c)(1)(iii) | | | | | |
| the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)" | 142C | 273.34(c)(2) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| † ACCUMULATION TIME LIMITS | | | | | | | |
| one year accumulation period for large quantity handlers, unless 273.35(b) requirements are met | 142A | 273.35(a) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 |
| 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 | | | | | |
| 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) | | | | | |
| marking or labeling the individual item of universal waste with the date it became a waste or was received | 142A | 273.35(c)(2) | | | | | |
| maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received | 142A | 273.35(c)(3) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| any other method clearly demonstrating the length of time that the universal waste has been accumulated | 142A | 273.35(c)(6) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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 | | | | | | | |
| large quantity handlers must ensure that employees are thoroughly familiar with proper waste handling and emergency procedures | 142A | 273.36 | | | | | |
| † 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) | | | | | |
| 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) | | | | | |
| † 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) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

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

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

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

† TRACKING UNIVERSAL WASTE SHIPMENTS

| | | | | | | | |
|--|------|-----------------|--|--|--|--|--|
| 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 | | | | | |
| name and address of originating handler or foreign shipper | 142A | 273.39(a)(1) | | | | | |
| quantity of each type of universal waste received | 142A | 273.39(a)(2) | | | | | |
| the date the shipment was received | 142A | 273.39(a)(3) | | | | | |
| 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 | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 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) | | | | | |
| quantity of each universal waste type sent | 142A | 273.39(b)(2) | | | | | |
| the date the shipment left the facility | 142A | 273.39(b)(3) | | | | | |
| 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) | | | | | |
| 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) | | | | | |

† EXPORTS

| | | | | | | | |
|--|------------|--------------|--|--|--|--|--|
| 12 a large quantity handler who sends universal waste to a foreign destination must: | 142A, †152 | 273.40 intro | | | | | |
| comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements | 142A | 273.40(a) | | | | | |
| 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) | | | | | |
| provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export | 142A | 273.40(c) | | | | | |

SUBPART D--STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

† APPLICABILITY

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| Part 273, Subpart D applies to universal waste transporters | 142A,†181 | 273.50 | | | | | |
| † PROHIBITIONS | | | | | | | |
| a universal waste transporter is: | 142A | 273.51 intro | | | | | |
| prohibited from disposing of universal waste | 142A | 273.51(a) | | | | | |
| prohibited from diluting or treating universal waste, except by responding to releases as 273.54 provides | 142A | 273.51(b) | | | | | |
| † WASTE MANAGEMENT | | | | | | | |
| 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 | 142A | 273.52(a) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| 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" | 142A | 273.52(b) | | | | | |

† 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) | | | | | |
| 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) | | | | | |

† 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) | | | | | |
| 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) | | | | | |

† OFF-SITE SHIPMENTS

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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 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) | | | | | |
| 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) | | | | | |

† EXPORTS

| | | | | | | | |
|---|-----------|--------------|--|--|--|--|--|
| 12 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 | | | | | |
| 11 a copy of the EPA Acknowledgment of Consent accompanies the shipment | 142A | 273.56(a) | | | | | |
| the shipment is delivered to the facility designated by the person initiating the shipment | 142A | 273.56(b) | | | | | |

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) | | | | | |
|--|-----------|-----------|--|--|--|--|--|

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| owner/operator of a destination facility who recycles without storing that universal waste must comply with 261.6(c)(2) | 142A | 273.60(b) | | | | | |

† 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) | | | | | |
| 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 | | | | | |
| send shipment back to the original shipper, or | 142A | 273.61(b)(1) | | | | | |
| if agreed by both the shipper and the owner/operator, the shipment is sent to another destination facility | 142A | 273.61(b)(2) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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) | | | | | |

† 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 | | | | | |
| 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) | | | | | |
| quantity of each universal waste type received | 142A | 273.62(a)(2) | | | | | |
| the date the shipment was received | 142A | 273.62(a)(3) | | | | | |
| 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) | | | | | |

SUBPART F--IMPORT REQUIREMENTS

† IMPORTS

| | | | | | | | |
|--|------------|--------------|--|--|--|--|--|
| 12 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 | | | | | |
| universal waste transporters are subject to the Part 273, Subpart D requirements | 142A | 273.70(a) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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 handlers are subject to the small or large quantity waste handler requirements in Part 273, Subparts B or C | 142A | 273.70(b) | | | | | |
| owners/operators of destination facilities are subject to the Part 273, Subpart E requirements | 142A | 273.70(c) | | | | | |
| 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) | | | | | |

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) | | | | | |
| what the petitioner must demonstrate to be successful; petition must include the 260.20(b) information; 273.81 factors | 142E | 273.80(b) | | | | | |
| Administrator will use the 273.81 factors to evaluate and decide; factors on which the decision will be based | 142E | 273.80(c) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (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) | | | | | |
| 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) | | | | | |
| 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) | | | | | |
| collection systems for waste or waste category would ensure close stewardship of the waste | 142E | 273.81(d) | | | | | |
| 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) | | | | | |
| 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) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
 Universal Waste Rule as of **December 31, 2002** (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 |
| part 273 regulation will improve implementation and compliance with hazardous waste regulatory program | 142E | 273.81(g) | | | | | |
| such other factors as may be appropriate | 142E | 273.81(h) | | | | | |

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31**, 2002 (cont'd)

- 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 § 273.2₂” and subparagraph (2) should end “in § 273.3₂”.
- 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.

SPECIAL CONSOLIDATED CHECKLIST:
Universal Waste Rule as of **December 31, 2002** (cont'd)

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.