



Massachusetts
Department
of
ENVIRONMENTAL
PROTECTION

f a c t s h e e t

Hazardous Waste Requirements for Commercial Pesticide Users

This fact sheet was developed to help growers, nurseries, pest control contractors, turf managers, pesticide distributors and retailers, and other commercial users of pesticides in Massachusetts understand and comply with applicable requirements of the Massachusetts Hazardous Waste Regulations (310 CMR 30.000).

A pesticide becomes a waste when it is out of date, damaged or degraded in quality, or when in the form of an excess tank mixture or rinsate that cannot be applied to the land. A pesticide also becomes a waste when its Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) registration is withdrawn or cancelled.

Businesses and institutions that generate pesticide wastes may need to manage these materials as either hazardous wastes or Universal Wastes, depending on a number of factors. They may also need to comply with applicable accumulation, transportation and disposal requirements.

What pesticides need to be managed as hazardous wastes?

A waste pesticide is considered a hazardous waste if it is listed in the Massachusetts Hazardous Waste Regulations (310 CMR 30.133-30.136) or if it is corrosive, ignitable, reactive or toxic (310 CMR 30.120).

While many modern pesticides are non-hazardous, a number of older banned pesticides do pose hazards and need to be managed as hazardous wastes. In general, pesticides that are chlorinated or contain arsenic or mercury fall into this category.

What pesticides may be managed as Universal Wastes?

In 1997, the Massachusetts Department of Environmental Protection (DEP) adopted streamlined regulations, known collectively as the Universal Waste Rule, to make it less burdensome and less costly to collect, recycle and dispose of pesticides and other widely-generated hazardous wastes. For example, a “handler” of Universal Waste does not need to register as a hazardous waste generator or track shipments with manifests.

A pesticide waste may be managed as a Universal Waste if it has been:

- Banned or its FIFRA registration has been cancelled or suspended; or
- Recalled by the manufacturer or FIFRA; and
- Collected as part of a state-authorized pesticide collection program.

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This information is available in
alternate format by calling our
ADA Coordinator at
(617) 574-6872.



What about empty plastic pesticide containers?

A plastic pesticide container or inner liner removed from a lined container that has held any non-acutely hazardous pesticide is not considered a hazardous waste if:

- ALL material has been removed using commonly accepted practices for the specific type of container or inner liner;
- AND no more than one inch of residue remains at the bottom of the container or inner liner.

If the container or inner liner held an acutely hazardous pesticide, it is not considered hazardous waste if:

- ALL material has been removed using commonly accepted practices for the specific type of container or inner liner;
- AND the container or inner liner has been triple rinsed using a solvent specifically formulated to remove pesticide residues.

A triple rinsed plastic container may be disposed as solid waste but must be labeled "safe for disposal," "triple rinsed" or "processed to meet the definition of empty." Recycling these containers is preferable. A lined container is considered empty if the liner prevented the pesticide it held from contacting the surface of the container.

A bag that has contained non-acutely hazardous pesticides is considered empty and may be disposed as solid waste if all material has been removed to the maximum extent possible by shaking or similar means. A bag that has contained acutely hazardous pesticide is considered hazardous waste and must always be handled as such.

Open burning of pesticide containers is against the law.

Universal Waste pesticide management standards

Containers of Universal Waste pesticides or individual Universal Waste items must be closed and structurally sound, labeled as Universal Waste, and marked with the name of the pesticide(s) and/or the original product label(s). They also must be:

- Stored in an area that is separate and distinguishable from the hazardous waste accumulation area.
- Kept for no more than one year and labeled to indicate when accumulation began.
- Transported by a driver with a commercial driver's license *and* a HAZMAT endorsement. (Neither a hazardous waste transporter license nor manifesting are required.)
- Collected as part of a state-authorized pesticide collection program, which may require that additional steps be taken.

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Waste prevention principles

- Do not purchase more product than you can use up in a season.
- Use rinsate in your next application, following label directions.
- Manage your pesticides so that you control how they released into the air, water or soil.

For Additional Information

To learn more about proper management of commercial pesticide wastes:

- Call DEP's Hazardous Waste Compliance Assistance Line at (617) 292-5898.
- Review *The Universal Waste Rule in Massachusetts: Information for Small Quantity Waste Generator* at <http://mass.gov/dep/recycle/files/univrle.doc>.
- Call the Massachusetts Pesticide Bureau (617) 727-3020 or visit its Web site at www.mass.gov/dfa/pesticides/.