



Massachusetts
Department
of
ENVIRONMENTAL
PROTECTION

fact sheet

Universal Waste Rule in Massachusetts: Information for Small Quantity Waste Generators

This fact sheet is designed to promote collection and improve management of certain widely generated wastes. The rule is modeled after the federal Universal Waste Rule and became effective on October 17, 1997.

What Universal Wastes are covered in the Massachusetts Rule?

These wastes must qualify as hazardous wastes before they are considered universal wastes (see 310 CMR 30.1001):

- hazardous batteries, primarily nickel cadmium (NiCd) and button batteries;
- mercury-containing devices, such as thermostats, manometers, switches, water meters, thermometers, and gauges;
- mercury-containing lamps, such as fluorescent lamps; and
- hazardous waste pesticides, e.g. mercury-based pesticides, arsenicals, and chlorinated pesticides; banned or suspended pesticides; pesticides subject to recall by the manufacturer or FIFRA; certain unused pesticides, and/or pesticides collected in a state-approved waste pesticide collection program.

What are the general requirements for the different handler categories?

All handlers must mark and label their containers or individual universal waste items and be able to demonstrate the length of time that the universal waste has been accumulated on-site. All handlers have an accumulation limit of one year.

Large Quantity Handlers are handlers who accumulate 5,000 kg or more total of universal waste on-site at any one time. They must notify MassDEP of their handler status (with the exception of handlers of batteries that already have an EPA ID number) and keep records for each shipment received and/or sent off-site for at least three years.

Small Quantity Handlers are handlers who accumulate less than 5,000 kg on-site at any one time. They have no notification or record keeping requirements.

How must universal wastes be collected, stored and handled?

Handlers may ship to, collect, or receive universal wastes from other handlers and transport without a license but in compliance with U.S. Department of Transportation requirements. Businesses transporting items that individually contain less than one pound of mercury are exempt from DOT requirements. Public sector entities are also exempt so long as public sector employees transport the universal waste in public sector vehicles.

Handlers shall accumulate and contain universal waste in a way that prevents releases of any universal waste or component of universal waste to the environment. Containers of universal wastes or individual universal waste items must be labeled as Universal Waste, with the name of the waste, e.g., Universal Waste – Mercury Containing Lamps. Additional handling requirements depend on the type of waste:

- *Pesticides*: Containers should show the original label of the product and must be kept closed and structurally sound.
- *Batteries*: Handlers may discharge batteries to remove the electric charge, remove electrolyte, or regenerate used batteries.
- *Thermostats*: Handlers may remove mercury-containing ampoules from thermostats over or in a container to assure that any broken ampoules that may

result in spills or leaks are contained immediately. Removed ampoules are a hazardous waste. The area in which ampoules are removed must meet OSHA exposure standards for mercury.

- *Lamps:* Dismantling or crushing of mercury-containing lamps must be done with a permit and in such a manner that, after processing, components can be separated into individual waste streams. The separated components must be recycled or reused and the handler must retain proof of their recycling/reuse.

What prohibitions exist for the management of universal wastes?

Disposal of universal wastes as solid waste, or treatment (except for "routine management" of batteries and mercury-containing devices, as described above), is prohibited. Handlers also are prohibited from accumulating universal wastes for longer than one year, unless the handler can prove that the activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment or disposal. **Note:** The Massachusetts Mercury Management Act imposes certain prohibitions on handling and disposal of mercury containing products; see: <https://www.mass.gov/doc/faq-on-mercury-containing-product-disposal-ban/download>

What requirements must transporters follow?

U.S. DOT guidelines must be followed for transport of wastes that meet the definition of "hazardous material" in 40 CFR 171.8. For information, call DOT's Motor Carrier Safety Office at (617) 494-2770 or (800) 832-5660, or visit: <http://www.fmcsa.dot.gov> Universal waste batteries can be held in transit for up to ten days. If held for longer than ten days, the universal waste battery transporter becomes a handler.

Before a universal waste moves across state lines, all states through which it passes should be consulted. If a universal waste is to be transported across an intermediate state that has not adopted the universal waste rule, RCRA requirements may apply and a manifest and licensed transporter may have to be used in that state.

What requirements must destination facilities meet?

A Small or Large Quantity Handler must take its universal waste to another universal waste handler or to a facility that is authorized to receive and recycle, treat or dispose of a particular category of universal waste (called a "destination facility"). In Massachusetts, a destination facility must be a licensed hazardous waste Treatment Storage or Disposal Facility or a commercial recycling facility with a Class C permit. Once received by a destination facility, universal wastes are managed as hazardous wastes.

Where can I find more information about the Universal Waste Rule in Massachusetts?

For more information, refer to the Universal Waste Rule regulations at <https://www.mass.gov/doc/310-cmr-30000-hazardous-waste-regulations/download> or contact the Business Compliance at (617) 292-5898 (Hazardous Waste Line).

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alternate format by calling our ADA
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(617) 574-6872.

