

FINAL STREAMLINED REGULATIONS FOR COLLECTING AND MANAGING UNIVERSAL WASTES

As part of President Clinton's plan to reinvent environmental regulations, EPA is streamlining hazardous waste regulations to make it easier for consumers and businesses to recycle batteries, pesticides and mercury-containing thermostats, referred to as "universal wastes," while ensuring their safe collection, recycling, handling and treatment.

Background

The Environmental Protection Agency (EPA) has promulgated regulations establishing the framework of the nation's hazardous waste management program under Subtitle C of the Resource Conservation and Recovery Act (RCRA). These regulations identify those wastes considered hazardous and specify requirements for those involved in their generation, transport, treatment, storage and disposal. The regulations are found in Parts 260 through 279 of Title 40 of the Code of Federal Regulations (CFR). This action amends the hazardous waste regulations by adding 40 CFR Part 273 (Universal Waste Rule) and is very similar to the February 11, 1993 proposal.

Action

This final rule promulgates streamlined hazardous waste management regulations governing the collection and management of certain widely generated wastes, known as "universal wastes." This rule covers hazardous waste batteries (i.e., nickel cadmium) certain hazardous waste pesticides, and mercury-containing thermostats. By reducing certain current RCRA Subtitle C regulatory requirements, this rule will encourage state and local governments and manufacturers to establish environmentally-sound collection programs, and retailers to participate in them. Although households and small businesses produce much of these wastes, retailers were previously reluctant to accept them because of concerns that some of the wastes might be from regulated hazardous waste generators. If that were the case, all of the collected wastes would be subject to full RCRA Subtitle C regulation.

In contrast, under the streamlined system, retailers and others who generate or handle these wastes would not have to comply with burdensome RCRA Subtitle C paperwork requirements and certain technical standards. Despite this regulatory reduction, however, this rule is actually expected to increase environmental protection by increasing the availability of collection and recycling programs that will subsequently ensure that these wastes go to hazardous waste recycling and disposal facilities rather than to less regulated municipal solid waste landfills and incinerators.

In addition to providing regulatory relief and increasing environmental protection, this rule acts as a model for adding other similar wastes in the future by allowing a petition process. When states adopt the rule, they can also pick up the petition process. This option enhances state flexibility by allowing them to add wastes to their state's universal waste program by following certain criteria and procedures without requiring the wastes to be added

at the federal level. As a result, the rule provides an important opportunity for EPA to partner with states to run the RCRA program.

Conclusion

This rule is an important example of the Agency's efforts to reduce regulatory burdens on affected parties without compromising environmental protection. It accomplishes this by streamlining hazardous waste management requirements for certain widely generated wastes, known as universal wastes. This reduced regulatory burden is expected to significantly increase the establishment of national, state and local, and industry collection and recycling campaigns for these wastes, the availability of which, will strengthen environmental protection by ensuring that these wastes are treated or recycled in facilities subject to the full hazardous waste regulations.

More Information

The *Federal Register* notice and this fact sheet are available in electronic format on the Internet System through the EPA Public Access Server at **gopher.epa.gov**. For the text of the *FR* notice, choose: *Rules, Regulations, and Legislation*; then, *Waste Programs/EPA Waste Information-GPO*; finally, *Year/Month/Day*. This fact sheet is available under: *EPA Offices and Regions/Office of Solid Waste and Emergency Response(OSWER)/Office of Solid Waste/Hazardous Waste/Hazardous Waste Recycling*.

For additional information or to order paper copies of the *Federal Register* notice, call the RCRA Hotline at 1-800-424-9346 or TDD 1-800-553-7672 (hearing impaired).

Copies of documents applicable to this rule may be obtained by writing: RCRA Information Center (RIC), U.S. Environmental Protection Agency, Office of Solid Waste (5305), 401 M Street SW, Washington, D.C. 20460.