

Proposed Ohio-Specific Universal Waste Rule Changes

Universal wastes are specific hazardous waste streams that a generator can choose to manage in an alternative manner in place of the more complex hazardous waste requirements. They usually are generated in small quantities and present low hazards. Currently, Ohio has four categories of universal waste that may be managed under these reduced requirements they are: lamps, suspended or recalled pesticides, mercury-containing devices, and batteries.

Ohio EPA, Division of Environmental Response and Revitalization (DERR) has proposed changes to the rules regarding “Universal Waste Management”. The purpose of the amendments is to designate hazardous non-empty aerosol containers, hazardous antifreeze, and hazardous paint and paint-related wastes as universal wastes (as defined below):

- **“Aerosol container”** means a non-opening, non-refillable container that holds a substance under pressure and that can release the substance as a spray, gel, or foam by means of a propellant gas, for example nitrogen, carbon dioxide, propane, or butane.
- **“Antifreeze”** means propylene glycol or ethylene glycol, including aggregated batches of propylene glycol or ethylene glycol, used as a heat transfer medium in an internal combustion engine; heating, ventilating, and air condition.
- **“Paint”** means a mixture of pigment, binder, and suitable liquid or powder coating resulting from commercial, industrial, mining, agricultural, and post-consumer activities that upon drying or fusing forms an adhering coating on the surface to which the paint is applied.
- **“Paint-related waste”** means any material contaminated with paint that results from paint packaging, wholesale and retail operations, paint manufacturing, and paint application or removal activities, or a material derived from the reclamation of paint related wastes that is recycled in a manner other than burning for energy recovery or used in a manner constituting disposal according to rules 3745-51-02 and 3745-266-20 of the Administrative Code.

Ohio EPA’s universal waste rules are intended to promote proper handling and recycling, as well as proper disposal by easing certain regulatory requirements. If promulgated in their current form, these rules could beneficially impact certain facilities, specifically those having significant painting operations, by “reducing” hazardous waste generation (through management as Universal Wastes) and thus potentially altering their hazardous waste generator status (i.e., from Large Quantity Generator to Small Quantity Generator status).

The public comment period will run until October 17, 2017. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. You may submit comments via email to Karen Hale (karen.hale@epa.ohio.gov), Ohio EPA, DERR.

If you have any related questions regarding universal or hazardous waste management, please contact Tim Schwendeman at 330-854-9066 x12.