

TIP No. 018-1023

Hazardous Waste Turn-Ins from Off-Post Clinics

PURPOSE. To provide basic information and references on turning in for disposal hazardous waste (HW) generated by the Defense Health Agency (DHA) medical treatment facilities (MTF) not located on military installations. Note, the guidance in this paper is based on federal requirements and only applies to facilities located in the continental United States including Alaska, Puerto Rico, American Samoa, Northern Mariana Islands, and the Virgin Islands. Facilities located in foreign nations should contact their supporting installation environmental office for assistance.

REFERENCES. See the Appendix for a list of reference information.

POINTS OF MAJOR INTEREST AND FACTS

Background

This technical information paper introduces federal, Defense Logistics Agency (DLA) and Department of Defense (DoD) regulatory requirements for turning in for disposal HW generated by MTFs that are not located on a military installation. HW identification, storage, labeling, and state specific requirements are not discussed. Contact the supporting installation's environmental office or MTF environmental manager for HW identification and management procedures.

Off-post health clinics are military or contractor-operated MTFs located off the installation in the communities where military families live. Services provided by these facilities typically include patient exams, laboratory testing, imaging, and pharmacy services.

Small amounts of HWs are generated at many of these clinics. Depending on the types of health care services provided, HW quantities and types generated vary. These wastes have to be managed by off-post clinics meeting federal, state, DLA Disposition Services, DoD, and military Service specific requirements.

Hazardous Waste Generated by Off-Post Clinics

Examples of potential HWs generated by off-post clinics include but are not limited to:

- Toxic or ignitable waste pharmaceuticals
- Ignitable laboratory stains and reagents
- Aerosol cans still containing product or remaining pressurized
- Mercury containing dental amalgam and traps/filters
- Ignitable hand sanitizers
- Toxic and ignitable silver nitrate cauterization sticks
- Toxic lamps (e.g., fluorescent lamps)
- Corrosive and toxic batteries

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REGULATORY REQUIREMENTS

Title 40 Code of Federal Regulations (CFR) Parts 260 through 273, also known as Resource Conservation and Recovery Act (or RCRA) Subtitle C, specifies the requirements for managing HW (PL 94-580). State, local, and Service specific requirements are not discussed in this paper. Contact the supporting installation's environmental office or MTF environmental manager for site specific information.

HAZARDOUS WASTE IDENTIFICATION (ID)

A solid waste becomes a HW when it exhibits a characteristic of a HW (ignitable, corrosive, reactive, or toxic) or is listed in Federal or State regulations as a HW. Generators of solid waste must identify and characterize wastes generated at their site using either knowledge of the materials and processes that generate the waste, the waste's safety data sheet, or through laboratory analysis of the waste.

Waste characterization procedures are beyond the scope of this information paper. A tool for identifying HW is the DCPH-A's Military Item Disposal Instruction (MIDI) system. It provides the Environmental Protection Agency's (EPA) HW disposal codes and methods of destruction for the disposal of unused or expired items, both hazardous and non-hazardous, utilized within the DoD. The MIDI system is located at <https://usaphcapps.amedd.army.mil/MIDI/Info.aspx>

Some useful, HW management fact sheets located at the DCPH-A website (<https://phc.amedd.army.mil/topics/envirohealth/wm/Pages/hazardous-waste.aspx>) include:

- Universal Waste Management
- Management of Used and Unused Insulin
- Management of Waste Dental Amalgam
- Used and Unused Formalin Management
- Silver Nitrate Applicator Disposal
- Hazardous Waste Identification
- Hazardous Waste Accumulation Area Management
- New Management Standards for Hazardous Waste Pharmaceuticals

HAZARDOUS WASTE GENERATOR CATEGORIES

HW generators must calculate the quantity of acute and nonacute HW generated each month to determine their "generator category", which then determines the RCRA regulations with which they must comply. "Acute" HWs are certain wastes that are extremely hazardous and are typically pure chemicals; all other HWs are "nonacute." Examples of acute HWs include certain chemotherapy drugs, warfarin > 0.3%, and physostigmine.

Very Small Quantity Generators (VSQG). Based on the small amounts of HW generated, off-post clinics are typically VSQGs (40 CFR 262.14). A VSQG generates less than or equal to the following amounts in a calendar month:

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1. 100 kilograms (kg) (220 pounds (lb)) of nonacute HW,
2. 1 kg (2.2 lb) of acute HW, and
3. 100 kg (220 lb) of acute HW spill cleanup residue.

VSQGs are exempt from many regulatory requirements if they:

1. Identify and count all HW they generate;
2. Accumulate no more than 1,000 kg (2,200 lb) of nonacute HW, no more than 100 kg (220 lb) of acute HW spill cleanup residue, and no more than 1 kg (2.2 lb) of other acute HW on-site at any time; and
3. Ensure their HW is sent to any of the facilities listed in 40 CFR 262.14.

Small Quantity Generators (SQGs). Under federal rules, if any of the permissible quantity limits for VSQG are exceeded, the HW generator becomes a SQG and faces more regulatory requirements than a VSQG (40 CFR 262.15 and 262.16). Contact the supporting installation's environmental office or MTF environmental manager if the VSQG limits are exceeded to determine the specific HW management requirements for this category such as obtaining an EPA ID number. SQGs generate in a calendar month:

1. Between 100 kg (220 lb) and 1,000 kg (2,200 lb) of nonacute HW,
2. No more than 100 kg (220 lb) of acute HW spill cleanup residue, and
3. No more than 1 kg (2.2 lb) of acute HW.

Large Quantity Generators (LQG). As the name indicates, this category of generator produces large amounts of HW (40 CFR 262.15 and 262.17). Off-post clinics are not expected to generate enough HW to reach this category. Specifically, LQGs generate in a month:

1. 1,000 kg (2,200 lb) or more of nonacute HW,
2. Over 100 kg (220 lb) of acute spill cleanup residue, or
3. Over 1 kg (2.2 lb) of acute HW.

DETERMINING HAZARDOUS WASTE GENERATOR STATUS

The HW generator status (e.g., category) is dependent on how much HW is generated monthly and in storage. The easiest method to determine and document the quantity of HW generated in a calendar month is for a designated person to record each time HW is added to a container on a log sheet. At the end of each calendar month, collect all logs and calculate the total amount of HW generated as well as any HW already in storage. Exceeding the maximum monthly quantity of HW of any generator category will usually move a facility into the next generator category, which has additional regulatory requirements.

To help maintain a lower HW generator status, certain HWs may be excluded from counting towards the monthly totals provided they are managed meeting all applicable RCRA requirements. Examples include universal wastes, lead-acid batteries, pharmaceutical waste, and wastes that are recycled. Contact the supporting military installation's environmental office or supporting MTF environmental manager for more information.

COLLECTION POINTS AND STORAGE LOCATIONS

Typically, HWs are collected in containers at satellite accumulation areas (SAAs) which are collection points located near the location where the HW is generated. Once the permissible SAA quantity limits are reached, HW is generally moved to a central accumulation area (CAA, e.g., 90-day site) or picked up directly from the SAA by a licensed DLA HW disposal contractor for treatment and disposal at an EPA permitted facility.

TURNING IN HAZARDOUS WASTE

In the past, regulatory requirements prohibited HW from off-post clinics to be taken to the on-post MTF or supporting installation's CAA (or in some cases, the installation's permitted HW Treatment, Storage, and Disposal Facility (TSDF)). Instead, HW would have to be picked up directly from the clinic by the DLA HW disposal contractor. However, this may no longer be the case; under two new EPA rules, off-post clinics that are VSQGs may be able to turn in HW to the supporting MTF or installation environmental office CAA.

Hazardous Waste Pharmaceuticals

A VSQG off-post clinic can turn in HW pharmaceuticals (i.e., not otherwise eligible to be sent to a reverse distributor for credit) on-post if the State adopted either of these new rules:

- EPA Management Standards for Hazardous Waste Pharmaceuticals (40 CFR 266 Subpart P), or
- EPA Hazardous Waste Generator Improvements Rule (40 CFR 262.17)

Management Standards for Hazardous Waste Pharmaceuticals

Under the Management Standards for HW Pharmaceuticals (40 CFR 266 Subpart P), the receiving health care facility must —

- Operate under 40 CFR 266 Subpart P for the management of HW pharmaceuticals;
- Be under control of the “same person” (as defined in 40 CFR 260) as the VSQG;
- Manage the HW pharmaceuticals meeting all the requirements of 40 CFR 266 Subpart P; and
- Keep records of the HW shipment received for 3 years.

Hazardous Waste Generator Improvements Rule

Under the Hazardous Waste Generator Improvements Rule (40 CFR 262.17), a VSQG off-post clinic can turn in general HW (to include HW pharmaceuticals not managed under 40 CFR 266 Subpart P) to the on-post health care facility or installation environmental office if the State adopted the EPA). The receiving facility must—

- Notify the EPA using EPA form 8700-12 at least 30 days prior to receiving the first shipment;

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- Be a LQG of HW and meet the conditions for offsite consolidation;
- Be under control of the same person as the VSQG; and
- Manage the HW at a CAA or TSDF.

Universal Waste (UW)

UWs (if adopted by the state) include lamps, batteries, aerosol cans, and mercury containing equipment (e.g., thermometers), or state-specific UWs that would otherwise be HWs. Managing these specific wastes as UW provides several regulatory exemptions to include that they may be transported from an off-post clinic to on-post. For the off-post clinic to turn in UW on post, the receiving facility must -

- Manage the UW under 40 CFR Part 273., Standards for Universal Waste Management. See the DCPH-A *Universal Waste Management* fact sheet for more information.

Determining Where the Two New Rules are in Effect

The EPA maintains two websites that show which states have adopted the new rules-

HW Pharmaceuticals and Amendment to the P075 Listing for Nicotine:

<https://www.epa.gov/hwgenerators/where-are-management-standards-hazardous-waste-pharmaceuticals-and-amendment-p075>

HW Generator Improvements Rule (HWGIR): <https://www.epa.gov/hwgenerators/where-hazardous-waste-generator-improvements-rule-effect>

States that have not Adopted Either Rule

In states that have not adopted either rule, HW cannot be transported from an off-post clinic to an on-post location and must be picked-up from the off-post clinic by the DLA HW disposal contractor.

Installation Approval

To ensure all federal, state, and local regulatory requirements are met, off-post clinics must coordinate with the supporting installation environmental office before transporting any HW or UW from an off-post clinic onto the installation.

HAZARDOUS WASTE TRANSPORTATION REQUIREMENTS

State Regulations

Always check your state requirements and contact your local installation environmental office or environmental manager for additional transportation requirements for HW generators. This could include specific vehicle placarding or secondary containment requirements.

Department of Defense Regulations

The Defense Transportation Regulation (DTR), Chapter 204, specifies DoD personnel (military, civilians, and contractors) moving hazardous material (HM) (which includes HW) must comply with the Title 49 CFR transportation regulations (DoD). Personnel involved in the packaging, shipment, or transportation of HM must also meet certain training requirements. Persons signing shipping papers must be trained and certified by a DoD approved school and appointed in writing by the activity or unit commander. Specific training requirements and DoD approved schools are listed in the regulation.

RECORDKEEPING

VSQG off-post clinics that transport HW on-post must maintain the following records for a minimum of 3 years:

- HW training records
- Amount of HW generated each month
- Training certificate from DTR approved school (DoD)

The LQG receiving facility must maintain the following records for 3 years:

- Description and date of shipment received
- Identity of the shipper
- HW Training records
- EPA form 8700-12, keep as long as the facility operates under the HWGIR or Subpart P

CONCLUSIONS

Off-post clinics generally fall into the VSQG category of the federal HW regulations. These clinics are usually located near a major military installation. DHA personnel must receive approval from the installation environmental office or the EPA ID # holder, before transporting HW onto the installation or MTF CAA.

For HW that is picked up directly from the off-post clinic by the waste disposal contractor, the installation environmental office should sign the EPA HW shipping manifest. DoD regulation requires individuals signing HW manifests to be trained and certified by a DoD approved school and have written signature authority by the commander. If the supporting installation environmental office is unable to sign the HW manifests for the off-post clinic, contact the MTF environmental officer for training and funding assistance.

ASSISTANCE

For questions contact the DCPH-A Environmental Health Sciences Division at 410-436-3651.

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Appendix A

References

DCPH-A Website (DCPH-A).

<https://phc.amedd.army.mil/topics/envirohealth/wm/Pages/hazardous-waste.aspx>

Department of Defense (DoD). DoD 4500.9-R-Part II, Defense Transportation Regulation, Chapter 204.

Public Law 94-580, 90 Stat. 2795 (PL 94-580). 1976, *Resource Conservation and Recovery Act of 1976*.

Code of Federal Regulations, "Hazardous Waste Generator Improvements," Title 40, Section 85732. <https://www.ecfr.gov/>.

Code of Federal Regulations, "Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine," Title 40, Section 5816. <https://www.ecfr.gov/>.