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Memorandum

STARK-TUSCARAWAS-WAYNE
JOINT SOLID WASTE DISTRICT

To: Solid Waste Management District Coordinators and HHW Collection Contractors
From: Ernie Stall, Environmental Specialist 3, Division of Solid and Infectious Waste Management through Pam Allen, Chief, DSIWM
Date: November 20, 2009
Subject: Household Hazardous Waste Collection Events

Ohio EPA field staff have recently encountered a number of situations involving household hazardous waste collection events that may not have been conducted properly. Specifically, Ohio EPA believes that SWMDs and/or commercial hazardous waste contractors may have accepted hazardous waste from non-household generators at SWMD-sponsored collection events.

The purpose of this memorandum is to inform SWMDs household hazardous waste collection contractors of the hazardous waste regulations that apply to household hazardous waste collection events.

Under Ohio's hazardous waste program, hazardous waste generated at households is specifically excluded from being regulated as hazardous waste [see Ohio Administrative Code Rule 3745-51-04(B)]. That rule defines household as

"...single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas..."

Consequently, hazardous waste generated at households does not have to be managed in accordance with Ohio's hazardous waste regulations. In this case, it is where the waste is generated that determines whether the waste qualifies for the exclusion. Thus, the exclusion covers hazardous waste generated by the owner of the household as well as hazardous waste generated by others doing work at the household (such as a contractor).

This same exclusion that applies to households also applies to anyone that collects and manages household hazardous waste. It is this exclusion that gives SWMDs the ability to conduct household hazardous waste collection events without having to manage collected material as hazardous waste.

It is important to understand that the exclusion applies strictly to hazardous waste generated at households. Hazardous waste from all non-household locations **must** be managed in accordance with Ohio's hazardous waste regulations. Not doing so is a violation of the hazardous waste regulations and could subject both the generator and the collecting organization to enforcement and penalties. Non-household locations include schools, farms, universities, churches, doctor and dentist offices, government facilities, non-profit organizations, hospitals, commercial businesses (both small and large), and manufacturing facilities. Furthermore, when hazardous waste from households is commingled with hazardous waste from any other generator, the commingled waste must be managed as hazardous waste.

Even though hazardous waste generated at a qualifying household by a contractor is excluded from regulation under Ohio's hazardous waste program, SWMDs should carefully screen contractors that bring waste to a collection event. The SWMD should question the contractor to ensure that the waste was generated at a household (not a non-household and is not a combination of hazardous waste generated at households and non-households).

Most SWMDs have implemented procedures to screen wastes that are accepted at their collection events to ensure that hazardous waste from only households is accepted. A number of criteria may be used to determine whether to accept the hazardous waste. Thus, the origin of hazardous waste may be suspect if:

- The hazardous waste is not typically found in a household;
- There are multiple containers of the same waste;
- There are containers that are larger than would be found in a typical home (e.g. larger than 5 or 10 gallon containers);
- The quantity being delivered is larger or the containers are in better condition than would be expected from a typical household; and,
- The vehicle or container is clearly non-residential (e.g. displays a sign or label for a business, government, school, church, farm, or other non-household location).

Additionally, it is a good practice to have a list of area commercial hazardous waste companies available to give to people who are turned away from a collection event.

Many SWMDs also ask people bringing material to the collection event for basic information and recording that information on prepared forms. Information collected and questions asked could include:

- Vehicle license number;
- Name, address and telephone number;
- Date; and,

- o A declaration that the waste came from a household.

At least one SWMD also requires people bringing material to a collection event to sign the form affirming that the hazardous waste came from a household.

If you have any questions regarding Ohio's hazardous waste regulations, how hazard waste from households is regulated, or what your SWMD legally can and can't collect at a household hazardous waste collection event, please contact Ernie Stall at (614) 728-5356 or ernie.stall@epa.state.oh.us. You can also contact Ohio EPA's Division of Hazardous Waste Management at (614) 644-2917 and ask to speak to the compliance assistance person on call.

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