

ENVIRONMENTAL QUALITY

CHAPTER 53

HAZARDOUS WASTE

Subchapter 13

Universal Waste

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| Rule | 17.53.1301 | Adoption of Federal Universal Waste Rule (40 CFR 273) |
| | 17.53.1302 | Exceptions and Additions to Adoption of Universal Waste Rule |
| | 17.53.1303 | Treatment of Electric Lamps |

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Universal Waste

17.53.1301 ADOPTION OF FEDERAL UNIVERSAL WASTE RULE (40 CFR 273) (1) Except as provided otherwise in ARM 17.53.1302, the department hereby adopts and incorporates by reference 40 CFR 273, pertaining to the universal waste rule. (History: 75-10-404, 75-10-405, MCA; IMP, 75-10-405, 75-10-406, MCA; NEW, 2001 MAR p. 169, Eff. 1/26/01; AMD, 2002 MAR p. 789, Eff. 3/15/02.)

17.53.1302 EXCEPTIONS AND ADDITIONS TO ADOPTION OF UNIVERSAL WASTE RULE (1) In 40 CFR 273.20(b) and (c), 273.40(b) and (c), and 273.56, pertaining to exporters of universal waste, the term "EPA" is retained.

(2) ARM 17.53.1303 contains the requirements for treatment of electric lamps.

(3) In 40 CFR 273.18(g), 273.38(g), and 273.61(c), pertaining to off-site shipments, "department" is substituted for "appropriate regional EPA office" and "EPA regional office."

(4) 40 CFR 273.80, pertaining to petitions to add a hazardous waste or a category of hazardous wastes to the standards for universal waste management in 40 CFR 273, is not adopted and incorporated by reference. (History: 75-10-405, MCA; IMP, 75-10-404, 75-10-405, MCA; NEW, 2001 MAR p. 169, Eff. 1/26/01; AMD, 2005 MAR p. 442, Eff. 4/1/05.)

17.53.1303 TREATMENT OF ELECTRIC LAMPS (1) A handler of universal waste, as defined in 40 CFR 273.9, may treat waste lamps on-site by crushing or intentional breaking, only if:

(a) the crushing or breaking is conducted in the final accumulation container;

(b) the operation and maintenance of the crushing or breaking unit are performed in accordance with written procedures developed by the manufacturer of the equipment;

(c) the manufacturer's operating and maintenance instructions are available for inspection;

(d) an operation and maintenance log book, or similar documentation, is maintained and available for inspection;

(e) all crushing, breaking, handling, and storage of treated lamps complies with the mercury limits specified in 29 CFR 1910.1000; and

(f) the management of lamps complies with the requirements of 40 CFR 273.13(d) and 273.33(d). (History: 75-10-405, MCA; IMP, 75-10-405, MCA; NEW, 2001 MAR p. 169, Eff. 1/26/01; AMD, 2002 MAR p. 789, Eff. 3/15/02; AMD, 2009 MAR p. 2461, Eff. 12/25/09.)

