§ 262.105 What must be included in the laboratory environmental management plan?

(a) Each University must include specific measures it will take to protect human health and the environment from hazards associated with the management of laboratory wastes and from the reuse, recycling or disposal of such materials outside the laboratory.

(b) Each University must write, implement and comply with an Environmental Management Plan that includes the following:

1. The specific procedures to assure compliance with each of the Minimum Performance Criteria set forth in § 262.104.

2. An environmental policy, or environmental, health and safety policy, signed by the University’s senior management, which must include commitments to regulatory compliance, waste minimization, risk reduction and continual improvement of the environmental management system.

3. A description of roles and responsibilities for the implementation and maintenance of the Laboratory Environmental Management Plan.

4. A system for identifying and tracking legal and other requirements applicable to laboratory waste, including the procedures for providing updates to laboratory supervisors.

5. Criteria for the identification of physical and chemical hazards and the control measures to reduce the potential for releases of laboratory wastes to the environment, including engineering controls, the use of personal protective equipment and hygiene practices, containment strategies and other control measures.

6. A pollution prevention plan, including, but not limited to, roles and responsibilities, training, pollution prevention activities, and performance review.

7. A system for conducting and updating annual surveys of hazardous chemicals of concern and procedures for identifying acutely hazardous laboratory waste.

8. The procedures for conducting laboratory clean-outs with regard to the safe management and disposal of laboratory wastes.

9. The criteria that laboratory workers must comply with for managing, containing and labeling laboratory wastes, including: an evaluation of the need for and the use of any special containers or labeling circumstances, and the use of laboratory wastes secondary containers including packaging, bottles, or test tube racks.

10. The procedures relevant to the safe and timely removal of laboratory wastes from the laboratory.

11. The emergency preparedness and response procedures to be implemented for laboratory waste.

12. Provisions for information dissemination and training, provided for in paragraph (d) of this section.

13. The procedures for the development and approval of changes to the Environmental Management Plan.

14. The procedures and work practices for safely transferring or moving laboratory wastes from a laboratory to a location identified in § 262.104(1).

15. The procedures for regularly inspecting a laboratory to assess conformance with the requirements of the Environmental Management Plan.

16. The procedures for the identification of environmental management plan noncompliance, and the assignment of responsibility, timelines and corrective actions to prevent their recurrence.
(17) The record keeping requirements to document conformance with this Plan.

(c) Organizational responsibilities for each university. Each University must:
(1) Develop and oversee implementation of its Laboratory Environmental Management Plan.
(2) Identify the following:
   (i) Annual environmental objectives and targets;
   (ii) Those laboratories covered by the requirements of the Laboratory Environmental Management Plan.
(3) Assign roles and responsibilities for the effective implementation of the Environmental Management Plan.
(4) Determine whether laboratory wastes are solid wastes under RCRA and, if so, whether they are hazardous.
(5) Develop, implement, and maintain:
   (i) Policies, procedures and practices governing its compliance with the Environmental Management Plan and applicable federal and state hazardous waste regulations.
   (ii) Procedures to monitor and measure relevant conformance and environmental performance data for the purpose of supporting continual improvement of the Environmental Management Plan.
   (iii) Policies and procedures for managing environmental documents and records applicable to this Environmental Management Standard.
(6) Ensure that:
   (i) Its Environmental Management Plan is available to laboratory workers, vendors, employee representatives, visitors, on-site contractors, and upon request, to governmental representatives.
   (ii) Personnel designated by each University to handle laboratory wastes and RCRA hazardous waste receive appropriate training.
   (iii) The Environmental Management Plan is reviewed at least annually by senior management to ensure its continuing suitability, adequacy and effectiveness. The reviews may include, but not be limited to, a consideration of monitoring and measuring information, Laboratory Environmental Management Standard performance data, assessment and audit results and other relevant information and data.

(d) What are the Information and Training Requirements for Each University?
(1) Each University must ensure that laboratory workers receive training and are provided with the information to understand and implement the elements of each University’s Environmental Management Plan that are relevant to the laboratory workers’ responsibilities.
(2) When must each University ensure that laboratory workers receive training and information?
   (i) Each University must provide the information to each laboratory worker when he/she is first assigned to a work area where laboratory wastes may be generated.
   (ii) Each University must ensure that each laboratory worker has had training within six months of when he/she is first assigned to a work area where laboratory wastes may be generated. Each University must retrain a laboratory worker when a laboratory waste poses a new or unique hazard for which the laboratory worker has not received prior training and as frequently as needed to maintain knowledge of the procedures of the Environmental Management Plan.
(3) Each University must provide an outline of training and specify who is to receive training in its Environmental Management Plan.
(4) Each University must ensure that laboratory workers are informed of:
   (i) The contents of this Subpart and the Laboratory Environmental Management Plan(s) for the laboratory(ies) in which they will be performing work;
   (ii) The location and availability of the Environmental Management Plan;
   (iii) Emergency response measures applicable to laboratories;
   (iv) Signs and indicators of a hazardous substance release;
   (v) The location and availability of known reference materials relevant to implementation of the Environmental Management Plan; and
   (vi) Environmental training requirements applicable to laboratory workers.
(5) Each University must ensure that Laboratory workers have received training in:
§ 262.106 When must a hazardous waste determination be made?

(a) For laboratory waste sent from a laboratory to an on-site hazardous waste accumulation area, each University must evaluate the laboratory wastes to determine whether they are solid wastes under RCRA and, if so, determine pursuant to §262.11 (a) through (d) whether they are hazardous wastes, as soon as the laboratory wastes reach the University’s Hazardous Waste Accumulation area(s). At this point each University must determine whether the laboratory waste will be reused or whether it must be managed as RCRA solid or hazardous waste.

(b) For laboratory waste that will be sent from a laboratory to a TSD facility permitted to handle the waste, each University must evaluate such laboratory wastes to determine whether they are solid wastes under RCRA and, if so, determine pursuant to §262.11 (a) through (d) whether they are hazardous wastes, prior to the 30-day deadline for removing dated laboratory waste from the laboratory.

(c) Laboratory waste that is determined to be hazardous waste is no longer subject to the provisions of this subpart and must be managed in accordance with all applicable provisions of 40 CFR Parts 260 through 270.