SAFETY NOTICE

PROPER DISPOSAL OF CHEMICAL WASTE

It is common to accumulate various types of hazardous waste when running a school district. Petroleum-based products, pesticides, old lab chemicals, spent batteries, mercury-containing light bulbs and even old cooking oil fall under numerous regulations. The requirements for handling, transport and disposal will vary depending on the type of material. Your district should have procedures in place for the proper identification and disposal of these products in accordance with federal, state, and local regulations.

Over the years, we have had some districts ask about the use of district vehicles for the transport of hazardous materials to an off-site facility. That might include a county waste facility or a private environmental disposal facility. The U.S. Environmental Protection Agency (USEPA) has a comprehensive set of regulations known as 40 CFR Part 261 Resource Conservation and Recovery Act (RCRA) that regulates the storage, transport, and disposal of various types of hazardous waste. Additionally, the NJ Department of Environmental Protection has a Bureau of Hazardous Waste Compliance & Enforcement, with additional state requirements.

These regulations are incredibly complicated and detailed, making it impossible to discuss here the various provisions, categories, and exemptions to the rules. Vehicles used to transport various waste products must be registered with the state (NJDEP) and obtain the appropriate permit for waste to be accepted by the licensed facility. Every licensed facility in the state requires a permit on a company-owned vehicle to drop off waste materials.

Most districts are better served utilizing experienced third-party companies to pack and transport hazardous materials off-site and provide the required tracking and disposal records. These companies have the required licensing, training, equipment, and experience to ensure materials are properly segregated, packaged, and labeled for transport. They have all the necessary permits to dispose of the materials at properly licensed waste facilities. They will also help ensure that you have all the required records for your files showing proper disposal.

It is important to note that there is limited insurance protection under the JIF coverage documents. Scott Tennant researched the potential liability coverage under general liability, auto liability and pollution liability. The culmination of those efforts resulted in the following:

> *"The only coverage for a pollution spill from transported pollutants by a member that may exist among the SPELL array of coverages is in the Environmental Policy and then subject to a series of conditions such as being a DOT Permitted Transporter, documenting all transportation from and to locations concluding in a legally recognized waste facility for such pollutants with each claim subject to a $25,000 self-insured retention. There is no coverage at all in any other coverages."*

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The dangers of improper chemical segregation, improper packing, potential leaking containers, and significant risk of a traffic accident involving the transport vehicle are not worth the bit of savings you might obtain. Most district employees are untrained and ill-equipped to handle an incident involving an unexpected chemical release. No one wants their district vehicle sitting in the middle of an intersection after a crash, while chemicals leak out and news helicopters hover overhead.

Companies such as Miller Environmental, Safety Kleen, Clean Harbors and others have years of experience providing waste chemical packing and transport. Your environmental consultants may know of other companies that will best serve your chemical cleanout needs.

Districts should also look for ways of reducing their chemical waste. This may include:

- Track all chemicals being ordered for science labs, facilities, vocational shops, and transportation. Order only what is needed for that school year. You don't "save" money buying more than you need if it must be disposed of as hazardous waste later.
- Ensure teachers are only ordering what is authorized based on the department curriculum.
- Use up old chemicals before opening or ordering new chemicals.
- Check with the local utility authority to see if any lab chemicals can be neutralized and flushed down the sewer drains.
- Replace hazardous chemicals with science kits that generate minimal waste and can be disposed of in regular waste streams.
- Have the district Chemical Hygiene Officer review the Lab Safety Plan annually to determine ways to reduce hazardous chemical usage.
- Incorporate greener products into the process when possible, reducing the need for a more hazardous product.
- Do not accept donated chemicals from other districts or companies unless you are sure they meet the needs of the district, are not outdated, and will be used within a reasonable time frame.

It is not uncommon for large quantities of outdated, hazardous materials to build up in science lab cabinets, custodial storage areas, maintenance garages and shops over a period of years. Not dealing with these issues annually can lead to leaking containers, missing or damaged labels, exposure to staff and students and expensive cleanup bills. Proper management of your chemical inventory will reduce costs, save money, and improve safety.

For additional information you can visit the USEPA and NJDEP websites:

https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-regulations

https://www.nj.gov/dep/enforcement/hw.html