Comparison of New and Old Requirements in Hazardous Waste Generator Improvements Rule

Subpart K - Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities

New – 262.200	Old - 262.200
§ 262.200 Definitions for this subpart.	**§262.200 Definitions for this subpart.**
The following definitions apply to this subpart:	The following definitions apply to this subpart:
(Definition for Central accumulation was deleted from Subpart K – now defined in 40 CFR 260.10).	*Central accumulation area* means an on-site hazardous waste accumulation area subject to either §262.34(a)-(b) of this part (large quantity generators) or §262.34(d)-(f) of this part (small quantity generators). A central accumulation area at an eligible academic entity that chooses to be subject to this subpart must also comply with §262.211 when accumulating unwanted material and/or hazardous waste.
College/University means a private or public, post-secondary, degree-granting, academic institution, that is accredited by an accrediting agency listed annually by the U.S. Department of Education.	*College/University* means a private or public, post-secondary, degree-granting, academic institution, that is accredited by an accrediting agency listed annually by the U.S. Department of Education.
Eligible academic entity means a college or university, or a non-profit research institute that is owned by or has a formal written affiliation agreement with a college or university, or a teaching hospital that is owned by or has a formal written affiliation agreement with a college or university.	*Eligible academic entity* means a college or university, or a non-profit research institute that is owned by or has a formal written affiliation agreement with a college or university, or a teaching hospital that is owned by or has a formal written affiliation agreement with a college or university.
Formal written affiliation agreement for a non-profit research institute means a written document that establishes a relationship between institutions for the purposes of research and/or education and is signed by authorized representatives, as defined by §260.10, from each institution. A relationship on a project-by-project or grant-by-grant basis is not considered a formal written affiliation agreement. A formal written affiliation agreement for a teaching hospital means a master affiliation agreement and program letter of agreement, as defined by the Accreditation Council for Graduate Medical Education, with an accredited medical program or medical school.	*Formal written affiliation agreement* for a non-profit research institute means a written document that establishes a relationship between institutions for the purposes of research and/or education and is signed by authorized representatives, as defined by §260.10, from each institution. A relationship on a project-by-project or grant-by-grant basis is not considered a formal written affiliation agreement. A formal written affiliation agreement for a teaching hospital means a master affiliation agreement and program letter of agreement, as defined by the Accreditation Council for Graduate Medical Education, with an accredited medical program or medical school.
Laboratory means an area owned by an eligible academic entity where relatively small quantities of chemicals and other substances are used on a	*Laboratory* means an area owned by an eligible academic entity where relatively small quantities of chemicals and other substances are used on a

non-production basis for teaching or research (or diagnostic purposes at a teaching hospital) and are stored and used in containers that are easily manipulated by one person. Photo laboratories, art studios, and field laboratories are considered laboratories. Areas such as chemical stockrooms and preparatory laboratories that provide a support function to teaching or research laboratories (or diagnostic laboratories at teaching hospitals) are also considered laboratories.	non-production basis for teaching or research (or diagnostic purposes at a teaching hospital) and are stored and used in containers that are easily manipulated by one person. Photo laboratories, art studios, and field laboratories are considered laboratories. Areas such as chemical stockrooms and preparatory laboratories that provide a support function to teaching or research laboratories (or diagnostic laboratories at teaching hospitals) are also considered laboratories.
Laboratory clean-out means an evaluation of the inventory of chemicals and other materials in a laboratory that are no longer needed or that have expired and the subsequent removal of those chemicals or other unwanted materials from the laboratory. A clean-out may occur for several reasons. It may be on a routine basis (e.g., at the end of a semester or academic year) or as a result of a renovation, relocation, or change in laboratory supervisor/occupant. A regularly scheduled removal of unwanted material as required by §262.208 does not qualify as a laboratory clean-out.	*Laboratory clean-out* means an evaluation of the inventory of chemicals and other materials in a laboratory that are no longer needed or that have expired and the subsequent removal of those chemicals or other unwanted materials from the laboratory. A clean-out may occur for several reasons. It may be on a routine basis (e.g., at the end of a semester or academic year) or as a result of a renovation, relocation, or change in laboratory supervisor/occupant. A regularly scheduled removal of unwanted material as required by §262.208 does not qualify as a laboratory clean-out.
Laboratory worker means a person who handles chemicals and/or unwanted material in a laboratory and may include, but is not limited to, faculty, staff, post-doctoral fellows, interns, researchers, technicians, supervisors/managers, and principal investigators. A person does not need to be paid or otherwise compensated for his/her work in the laboratory to be considered a laboratory worker. Undergraduate and graduate students in a supervised classroom setting are not laboratory workers.	*Laboratory worker* means a person who handles chemicals and/or unwanted material in a laboratory and may include, but is not limited to, faculty, staff, post-doctoral fellows, interns, researchers, technicians, supervisors/managers, and principal investigators. A person does not need to be paid or otherwise compensated for his/her work in the laboratory to be considered a laboratory worker. Undergraduate and graduate students in a supervised classroom setting are not laboratory workers.
Non-profit research institute means an organization that conducts research as its primary function and files as a non-profit organization under the tax code of 26 U.S.C. 501(c)(3).	*Non-profit research institute* means an organization that conducts research as its primary function and files as a non-profit organization under the tax code of 26 U.S.C. 501(c)(3).
Reactive acutely hazardous unwanted material means an unwanted material that is one of the acutely hazardous commercial chemical products listed in §261.33(e) for reactivity.	*Reactive acutely hazardous unwanted material* means an unwanted material that is one of the acutely hazardous commercial chemical products listed in §261.33(e) for reactivity.
Teaching hospital means a hospital that trains students to become physicians, nurses or other health or laboratory personnel.	*Teaching hospital* means a hospital that trains students to become physicians, nurses or other health or laboratory personnel.
Trained professional means a person who has completed the applicable RCRA training requirements of §262.17 for large quantity generators, or is knowledgeable about normal operations and emergencies in accordance with §262.16 for small quantity generators and very small quantity generators. A	*Trained professional* means a person who has completed the applicable RCRA training requirements of §265.16 for large quantity generators, or is knowledgeable about normal operations and emergencies in accordance with §262.34(d)(5)(iii) for small quantity generators and conditionally exempt small quantity generators. A trained professional may be an employee of the eligible

trained professional may be an employee of the eligible academic entity or may be a contractor or vendor who meets the requisite training requirements. *Unwanted material* means any chemical, mixtures of chemicals, products of experiments or other material from a laboratory that is no longer needed, wanted or usable in the laboratory and that is destined for hazardous waste determination by a trained professional. Unwanted materials include reactive acutely hazardous unwanted materials and materials that may eventually be determined not to be solid waste pursuant to §261.2, or a hazardous waste pursuant to §261.3. If an eligible academic entity elects to use another equally effective term in lieu of "unwanted material," as allowed by §262.206(a)(1)(i), the equally effective term has the same meaning and is subject to the same requirements as "unwanted material" under this subpart. *Working container* means a small container (i.e., two gallons or less) that is in use at a laboratory bench, hood, or other work station, to collect unwanted material from a laboratory experiment or procedure.	academic entity or may be a contractor or vendor who meets the requisite training requirements. *Unwanted material* means any chemical, mixtures of chemicals, products of experiments or other material from a laboratory that is no longer needed, wanted or usable in the laboratory and that is destined for hazardous waste determination by a trained professional. Unwanted materials include reactive acutely hazardous unwanted materials and materials that may eventually be determined not to be solid waste pursuant to §261.2, or a hazardous waste pursuant to §261.3. If an eligible academic entity elects to use another equally effective term in lieu of "unwanted material," as allowed by §262.206(a)(1)(i), the equally effective term has the same meaning and is subject to the same requirements as "unwanted material" under this subpart. *Working container* means a small container (i.e., two gallons or less) that is in use at a laboratory bench, hood, or other work station, to collect unwanted material from a laboratory experiment or procedure.
New - 262.201	**Old - 262.201**
§262.201 Applicability of this subpart. (a) Large quantity generators and small quantity generators. This subpart provides alternative requirements to the requirements in §§262.11 and 262.15 for the hazardous waste determination and accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided that they complete the notification requirements of §262.203. (b) Very small quantity generators. This subpart provides alternative requirements to the conditional exemption in §262.14 for the accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided that they complete the notification requirements of §262.203.	**§262.201 Applicability of this subpart.** (a) Large quantity generators and small quantity generators. This subpart provides alternative requirements to the requirements in §§262.11 and 262.34(c) for the hazardous waste determination and accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided that they complete the notification requirements of §262.203. (b) Conditionally exempt small quantity generators. This subpart provides alternative requirements to the conditional exemption in §261.5(b) for the accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided that they complete the notification requirements of §262.203.

New - 262.202	Old - 262.202
§262.202 This subpart is optional. (a) Large quantity generators and small quantity generators. Eligible academic entities have the option of complying with this subpart with respect to its laboratories, as an alternative to complying with the requirements of §§262.11 and 262.15. (b) Very small quantity generators. Eligible academic entities have the option of complying with this subpart with respect to laboratories, as an alternative to complying with the conditional exemption of §262.14.	**§262.202 This subpart is optional.** (a) Large quantity generators and small quantity generators: Eligible academic entities have the option of complying with this subpart with respect to its laboratories, as an alternative to complying with the requirements of §§262.11 and 262.34(c). (b) *Conditionally exempt* small quantity generators. Eligible academic entities have the option of complying with this subpart with respect to its laboratories, as an alternative to complying with the conditional exemption of §261.5(b).
New - 262.203	**Old - 262.203**
§262.203 How an eligible academic entity indicates it will be subject to the requirements of this subpart. (a) An eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using the RCRA Subtitle C Site Identification Form (EPA Form 8700-12), that it is electing to be subject to the requirements of this subpart for all the laboratories owned by the eligible academic entity under the same EPA identification number. An eligible academic entity that is a very small quantity generator and does not have an EPA identification number must notify that it is electing to be subject to the requirements of this subpart for all the laboratories owned by the eligible academic entity that are on site, as defined by §260.10 of this chapter. An eligible academic entity must submit a separate notification (Site Identification Form) for each EPA identification number (or site, for *very* small quantity generators) that is electing to be subject to the requirements of this subpart, and must submit the Site Identification Form before it begins operating under this subpart. (b) When submitting the Site Identification Form, the eligible academic entity must, at a minimum, fill out the following fields on the form: (1) Reason for Submittal.	**§262.203 How an eligible academic entity indicates it will be subject to the requirements of this subpart.** (a) An eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using the RCRA Subtitle C Site Identification Form (EPA Form 8700-12), that it is electing to be subject to the requirements of this subpart for all the laboratories owned by the eligible academic entity under the same EPA Identification Number. An eligible academic entity that is a conditionally exempt small quantity generator and does not have an EPA Identification Number must notify that it is electing to be subject to the requirements of this subpart for all the laboratories owned by the eligible academic entity that are on-site, as defined by §260.10. An eligible academic entity must submit a separate notification (Site Identification Form) for each EPA Identification Number (or site, for conditionally exempt small quantity generators) that is electing to be subject to the requirements of this subpart, and must submit the Site Identification Form before it begins operating under this subpart. (b) When submitting the Site Identification Form, the eligible academic entity must, at a minimum, fill out the following fields on the form: (1) Reason for Submittal.

(2) Site EPA identification number (except for very small quantity generators). (3) Site Name. (4) Site Location Information. (5) Site Land Type. (6) North American Industry Classification System (NAICS) Code(s) for the Site. (7) Site Mailing Address. (8) Site Contact Person. (9) Operator and Legal Owner of the Site. (10) Type of Regulated Waste Activity. (11) Certification. (c) An eligible academic entity must keep a copy of the notification on file at the eligible academic entity for as long as its laboratories are subject to this subpart. (d) A teaching hospital that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the teaching hospital for as long as its laboratories are subject to this subpart. (e) A non-profit research institute that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the non-profit research institute for as long as its laboratories are subject to this subpart.	(2) Site EPA Identification Number (except for conditionally exempt small quantity generators). (3) Site Name. (4) Site Location Information. (5) Site Land Type. (6) North American Industry Classification System (NAICS) Code(s) for the Site. (7) Site Mailing Address. (8) Site Contact Person. (9) Operator and Legal Owner of the Site. (10) Type of Regulated Waste Activity. (11) Certification. (c) An eligible academic entity must keep a copy of the notification on file at the eligible academic entity for as long as its laboratories are subject to this subpart. (d) A teaching hospital that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the teaching hospital for as long as its laboratories are subject to this subpart. (e) A non-profit research institute that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the non-profit research institute for as long as its laboratories are subject to this subpart.
New - 262.204	**Old - 262.204**
§262.204 How an eligible academic entity indicates it will withdraw from the requirements of this subpart. (a) An eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using the RCRA Subtitle C Site Identification Form (EPA Form 8700-12), that it is electing to no longer be subject to the requirements of this subpart for all the laboratories owned by the eligible academic entity under the same EPA identification number and that it will comply with the requirements of §§262.11 and 262.15 for small quantity generators and large quantity generators. An eligible academic entity that is a very small quantity generator and does not have an EPA identification	**§262.204 How an eligible academic entity indicates it will withdraw from the requirements of this subpart.** (a) An eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using the RCRA Subtitle C Site Identification Form (EPA Form 8700-12), that it is electing to no longer be subject to the requirements of this subpart for all the laboratories owned by the eligible academic entity under the same EPA Identification Number and that it will comply with the requirements of §§262.11 and 262.34(c) for small quantity generators and large quantity generators. An eligible academic entity that is a conditionally exempt small quantity generator and does not have an

number must notify that it is withdrawing from the requirements of this subpart for all the laboratories owned by the eligible academic entity that are on site and that it will comply with the conditional exemption in §262.14. An eligible academic entity must submit a separate notification (Site Identification Form) for each EPA identification number (or site, for very small quantity generators) that is withdrawing from the requirements of this subpart and must submit the Site Identification Form before it begins operating under the standards in §§262.11 and 262.15 for small quantity generators and large quantity generators or §262.14 for very small quantity generators.	EPA Identification Number must notify that it is withdrawing from the requirements of this subpart for all the laboratories owned by the eligible academic entity that are on-site and that it will comply with the conditional exemption in §261.5(b). An eligible academic entity must submit a separate notification (Site Identification Form) for each EPA Identification Number (or site, for conditionally exempt small quantity generators) that is withdrawing from the requirements of this subpart and must submit the Site Identification Form before it begins operating under the requirements of §§262.11 and 262.34(c) for small quantity generators and large quantity generators, or §261.5(b) for conditionally exempt small quantity generators.
(b) When submitting the Site Identification Form, the eligible academic entity must, at a minimum, fill out the following fields on the form: (1) Reason for Submittal. (2) Site EPA Identification Number (except for very small quantity generators). (3) Site Name. (4) Site Location Information. (5) Site Land Type. (6) North American Industry Classification System (NAICS) Code(s) for the Site. (7) Site Mailing Address. (8) Site Contact Person. (9) Operator and Legal Owner of the Site. (10) Type of Regulated Waste Activity. (11) Certification.	(b) When submitting the Site Identification Form, the eligible academic entity must, at a minimum, fill out the following fields on the form: (1) Reason for Submittal. (2) Site EPA Identification Number (except for conditionally exempt small quantity generators). (3) Site Name. (4) Site Location Information. (5) Site Land Type. (6) North American Industry Classification System (NAICS) Code(s) for the Site. (7) Site Mailing Address. (8) Site Contact Person. (9) Operator and Legal Owner of the Site. (10) Type of Regulated Waste Activity. (11) Certification.
(c) An eligible academic entity must keep a copy of the withdrawal notice on file at the eligible academic entity for three years from the date of the notification.	(c) An eligible academic entity must keep a copy of the withdrawal notice on file at the eligible academic entity for three years from the date of the notification.

New - 262.205	Old - 261.205
§262.205 Summary of the requirements of this subpart. An eligible academic entity that chooses to be subject to this subpart is not required to have interim status or a RCRA Part B permit for the accumulation of unwanted material and hazardous waste in its laboratories, provided the laboratories comply with the provisions of this subpart and the eligible academic entity has a Laboratory Management Plan (LMP) in accordance with §262.214 that describes how the laboratories owned by the eligible academic entity will comply with the requirements of this subpart.	**§262.205 Summary of the requirements of this subpart.** An eligible academic entity that chooses to be subject to this subpart is not required to have interim status or a RCRA Part B permit for the accumulation of unwanted material and hazardous waste in its laboratories, provided the laboratories comply with the provisions of this subpart and the eligible academic entity has a Laboratory Management Plan (LMP) in accordance with §262.214 that describes how the laboratories owned by the eligible academic entity will comply with the requirements of this subpart.
New - 262.206	**Old - 262.206**
§262.206 Labeling and management standards for containers of unwanted material in the laboratory. An eligible academic entity must manage containers of unwanted material while in the laboratory in accordance with the requirements in this section. (a) Labeling: Label unwanted material as follows: (1) The following information must be affixed or attached to the container: (i) The words “unwanted material” or another equally effective term that is to be used consistently by the eligible academic entity and that is identified in Part I of the Laboratory Management Plan, and (ii) Sufficient information to alert emergency responders to the contents of the container. Examples of information that would be sufficient to alert emergency responders to the contents of the container include, but are not limited to: (A) The name of the chemical(s), (B) The type or class of chemical, such as organic solvents or halogenated organic solvents. (2) The following information may be affixed or attached to the container, but must at a minimum be associated with the container: (i) The date that the unwanted material first began accumulating in the container, and	**§262.206 Labeling and management standards for containers of unwanted material in the laboratory.** An eligible academic entity must manage containers of unwanted material while in the laboratory in accordance with the requirements in this section. (a) Labeling: Label unwanted material as follows: (1) The following information must be affixed or attached to the container: (i) The words “unwanted material” or another equally effective term that is to be used consistently by the eligible academic entity and that is identified in Part I of the Laboratory Management Plan, and (ii) Sufficient information to alert emergency responders to the contents of the container. Examples of information that would be sufficient to alert emergency responders to the contents of the container include, but are not limited to: (A) The name of the chemical(s), (B) The type or class of chemical, such as organic solvents or halogenated organic solvents. (2) The following information may be affixed or attached to the container, but must at a minimum be associated with the container: (i) The date that the unwanted material first began accumulating in the container, and

(ii) Information sufficient to allow a trained professional to properly identify whether an unwanted material is a solid and hazardous waste and to assign the proper hazardous waste code(s), pursuant to §262.11. Examples of information that would allow a trained professional to properly identify whether an unwanted material is a solid or hazardous waste include, but are not limited to: (A) The name and/or description of the chemical contents or composition of the unwanted material, or, if known, the product of the chemical reaction, (B) Whether the unwanted material has been used or is unused, (C) A description of the manner in which the chemical was produced or processed, if applicable.	(ii) Information sufficient to allow a trained professional to properly identify whether an unwanted material is a solid and hazardous waste and to assign the proper hazardous waste code(s), pursuant to §262.11. Examples of information that would allow a trained professional to properly identify whether an unwanted material is a solid or hazardous waste include, but are not limited to: (A) The name and/or description of the chemical contents or composition of the unwanted material, or, if known, the product of the chemical reaction, (B) Whether the unwanted material has been used or is unused, (C) A description of the manner in which the chemical was produced or processed, if applicable.
(b) Management of Containers in the Laboratory: An eligible academic entity must properly manage containers of unwanted material in the laboratory to assure safe storage of the unwanted material, to prevent leaks, spills, emissions to the air, adverse chemical reactions, and dangerous situations that may result in harm to human health or the environment. Proper container management must include the following: (1) Containers are maintained and kept in good condition and damaged containers are replaced, overpacked, or repaired, and (2) Containers are compatible with their contents to avoid reactions between the contents and the container; and are made of, or lined with, material that is compatible with the unwanted material so that the container's integrity is not impaired, and (3) Containers must be kept closed at all times, except: (i) When adding, removing or bulking unwanted material, or (ii) A working container may be open until the end of the procedure or work shift, or until it is full, whichever comes first, at which time the working container must either be closed or the contents emptied into a separate container that is then closed, or (iii) When venting of a container is necessary: (A) For the proper operation of laboratory equipment, such as with in-line collection of unwanted materials from high performance liquid chromatographs, or (B) To prevent dangerous situations, such as build-up of extreme pressure.	(b) Management of Containers in the Laboratory: An eligible academic entity must properly manage containers of unwanted material in the laboratory to assure safe storage of the unwanted material, to prevent leaks, spills, emissions to the air, adverse chemical reactions, and dangerous situations that may result in harm to human health or the environment. Proper container management must include the following: (1) Containers are maintained and kept in good condition and damaged containers are replaced, overpacked, or repaired, and (2) Containers are compatible with their contents to avoid reactions between the contents and the container; and are made of, or lined with, material that is compatible with the unwanted material so that the container's integrity is not impaired, and (3) Containers must be kept closed at all times, except: (i) When adding, removing or bulking unwanted material, or (ii) A working container may be open until the end of the procedure or work shift, or until it is full, whichever comes first, at which time the working container must either be closed or the contents emptied into a separate container that is then closed, or (iii) When venting of a container is necessary. (A) For the proper operation of laboratory equipment, such as with in-line collection of unwanted materials from high performance liquid chromatographs, or (B) To prevent dangerous situations, such as build-up of extreme pressure.

New - 262.207	Old - 262.207
§262.207 Training. An eligible academic entity must provide training to all individuals working in a laboratory at the eligible academic entity, as follows: (a) Training for laboratory workers and students must be commensurate with their duties so they understand the requirements in this subpart and can implement them. (b) An eligible academic entity can provide training for laboratory workers and students in a variety of ways, including, but not limited to: (1) Instruction by the professor or laboratory manager before or during an experiment; or (2) Formal classroom training; or (3) Electronic/written training; or (4) On-the-job training; or (5) Written or oral exams. (c) An eligible academic entity that is a large quantity generator must maintain documentation for the durations specified in §265.16(e) demonstrating training for all laboratory workers that is sufficient to determine whether laboratory workers have been trained. Examples of documentation demonstrating training can include, but are not limited to, the following: (1) Sign-in/attendance sheet(s) for training session(s); or (2) Syllabus for training session; or (3) Certificate of training completion; or (4) Test results. (d) A trained professional must: (1) Accompany the transfer of unwanted material and hazardous waste when the unwanted material and hazardous waste is removed from the laboratory, and (2) Make the hazardous waste determination, pursuant to §262.11(a) through (d), for unwanted material.	**§262.207 Training.** An eligible academic entity must provide training to all individuals working in a laboratory at the eligible academic entity, as follows: (a) Training for laboratory workers and students must be commensurate with their duties so they understand the requirements in this subpart and can implement them. (b) An eligible academic entity can provide training for laboratory workers and students in a variety of ways, including, but not limited to: (1) Instruction by the professor or laboratory manager before or during an experiment; or (2) Formal classroom training; or (3) Electronic/written training; or (4) On-the-job training; or (5) Written or oral exams. (c) An eligible academic entity that is a large quantity generator must maintain documentation for the durations specified in §265.16(e) demonstrating training for all laboratory workers that is sufficient to determine whether laboratory workers have been trained. Examples of documentation demonstrating training can include, but are not limited to, the following: (1) Sign-in/attendance sheet(s) for training session(s); or (2) Syllabus for training session; or (3) Certificate of training completion; or (4) Test results. (d) A trained professional must: (1) Accompany the transfer of unwanted material and hazardous waste when the unwanted material and hazardous waste is removed from the laboratory, and (2) Make the hazardous waste determination, pursuant to §262.11, for unwanted material.

New - 262.208	Old - 262.208
§262.208 Removing containers of unwanted material from the laboratory.	**§262.208 Removing containers of unwanted material from the laboratory.**
(a) Removing containers of unwanted material on a regular schedule. An eligible academic entity must either: (1) Remove all containers of unwanted material from each laboratory on a regular interval, not to exceed 12 months; or (2) Remove containers of unwanted material from each laboratory within 12 months of each container's accumulation start date.	(a) Removing containers of unwanted material on a regular schedule. An eligible academic entity must either: (1) Remove all containers of unwanted material from each laboratory on a regular interval, not to exceed 6 months; or (2) Remove containers of unwanted material from each laboratory within 6 months of each container's accumulation start date.
(b) The eligible academic entity must specify in Part I of its Laboratory Management Plan whether it will comply with paragraph (a)(1) or (a)(2) of this section for the regular removal of unwanted material from its laboratories.	(b) The eligible academic entity must specify in Part I of its Laboratory Management Plan whether it will comply with paragraph (a)(1) or (a)(2) of this section for the regular removal of unwanted material from its laboratories.
(c) The eligible academic entity must specify in Part II of its Laboratory Management Plan how it will comply with paragraph (a)(1) or (a)(2) of this section and develop a schedule for regular removals of unwanted material from its laboratories.	(c) The eligible academic entity must specify in Part II of its Laboratory Management Plan how it will comply with paragraph (a)(1) or (a)(2) of this section and develop a schedule for regular removals of unwanted material from its laboratories.
(d) Removing containers of unwanted material when volumes are exceeded. (1) If a laboratory accumulates a total volume of unwanted material (including reactive acutely hazardous unwanted material) in excess of 55 gallons before the regularly scheduled removal, the eligible academic entity must ensure that all containers of unwanted material in the laboratory (including reactive acutely hazardous unwanted material): (i) Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 55 gallons is exceeded; and (ii) Are removed from the laboratory within 10 calendar days of the date that 55 gallons was exceeded, or at the next regularly scheduled removal, whichever comes first. (2) If a laboratory accumulates more than 1 quart of liquid reactive acutely hazardous unwanted material or more than 1 kg (2.2 pounds) of solid reactive acutely hazardous unwanted material before the regularly scheduled removal, then the eligible academic entity must ensure that all containers of reactive acutely hazardous unwanted material:	(d) Removing containers of unwanted material when volumes are exceeded. (1) If a laboratory accumulates a total volume of unwanted material (including reactive acutely hazardous unwanted material) in excess of 55 gallons before the regularly scheduled removal, the eligible academic entity must ensure that all containers of unwanted material in the laboratory (including reactive acutely hazardous unwanted material): (i) Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 55 gallons is exceeded; and (ii) Are removed from the laboratory within 10 calendar days of the date that 55 gallons was exceeded, or at the next regularly scheduled removal, whichever comes first. (2) If a laboratory accumulates more than 1 quart of reactive acutely hazardous unwanted material before the regularly scheduled removal, then the eligible academic entity must ensure that all containers of reactive acutely hazardous unwanted material:

(i) Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 1 quart or 1 kg is exceeded; and (ii) Are removed from the laboratory within 10 calendar days of the date that 1 quart or 1 kg was exceeded, or at the next regularly scheduled removal, whichever comes first.	(i) Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 1 quart is exceeded; and (ii) Are removed from the laboratory within 10 calendar days of the date that 1 quart was exceeded, or at the next regularly scheduled removal, whichever comes first.
New - 262.209	**Old - 262.209**
§262.209 Where and when to make the hazardous waste determination and where to send containers of unwanted material upon removal from the laboratory. (a) Large quantity generators and small quantity generators—an eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to §262.11, for unwanted material in any of the following areas: (1) In the laboratory before the unwanted material is removed from the laboratory, in accordance with §262.210; (2) Within 4 calendar days of arriving at an on-site central accumulation area, in accordance with §262.211; and (3) Within 4 calendar days of arriving at an on-site interim status or permitted treatment, storage or disposal facility, in accordance with §262.212. (b) Very small quantity generators. An eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to §262.11(a) through (d), for unwanted material in the laboratory before the unwanted material is removed from the laboratory, in accordance with §262.210.	**§262.209 Where and when to make the hazardous waste determination and where to send containers of unwanted material upon removal from the laboratory.** (a) Large quantity generators and small quantity generators—an eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to §262.11, for unwanted material in any of the following areas: (1) In the laboratory before the unwanted material is removed from the laboratory, in accordance with §262.210; (2) Within 4 calendar days of arriving at an on-site central accumulation area, in accordance with §262.211; and (3) Within 4 calendar days of arriving at an on-site interim status or permitted treatment, storage or disposal facility, in accordance with §262.212. (b) Conditionally exempt small quantity generators—an eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to §262.11, for unwanted material in the laboratory before the unwanted material is removed from the laboratory, in accordance with §262.210.

New - 262.210	Old - 262.210
§262.210 Making the hazardous waste determination in the laboratory before the unwanted material is removed from the laboratory. If an eligible academic entity makes the hazardous waste determination, pursuant to §262.11, for unwanted material in the laboratory, it must comply with the following: (a) A trained professional must make the hazardous waste determination, pursuant to §262.11(a) through (d), before the unwanted material is removed from the laboratory. (b) If an unwanted material is a hazardous waste, the eligible academic entity must: (1) Write the words "hazardous waste" on the container label that is affixed or attached to the container, before the hazardous waste may be removed from the laboratory; and (2) Write the appropriate hazardous waste code(s) on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste is transported off-site. (3) Count the hazardous waste toward the eligible academic entity's generator category, pursuant to §262.13, in the calendar month that the hazardous waste determination was made. (c) A trained professional must accompany all hazardous waste that is transferred from the laboratory(ies) to an on-site central accumulation area or on-site interim status or permitted treatment, storage or disposal facility. (d) When hazardous waste is removed from the laboratory: (1) Large quantity generators and small quantity generators must ensure it is taken directly from the laboratory(ies) to an on-site central accumulation area, or on-site interim status or permitted treatment, storage or disposal facility, or transported off-site. (2) Very small quantity generators must ensure it is taken directly from the laboratory(ies) to any of the types of facilities listed in §262.14.	**§262.210 Making the hazardous waste determination in the laboratory before the unwanted material is removed from the laboratory.** If an eligible academic entity makes the hazardous waste determination, pursuant to §262.11, for unwanted material in the laboratory, it must comply with the following: (a) A trained professional must make the hazardous waste determination, pursuant to §262.11, before the unwanted material is removed from the laboratory. (b) If an unwanted material is a hazardous waste, the eligible academic entity must: (1) Write the words "hazardous waste" on the container label that is affixed or attached to the container, before the hazardous waste may be removed from the laboratory; and (2) Write the appropriate hazardous waste code(s) on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste is transported off-site. (3) Count the hazardous waste toward the eligible academic entity's generator status, pursuant to §261.5(c) and (d), in the calendar month that the hazardous waste determination was made. (c) A trained professional must accompany all hazardous waste that is transferred from the laboratory(ies) to an on-site central accumulation area or on-site interim status or permitted treatment, storage or disposal facility. (d) When hazardous waste is removed from the laboratory: (1) Large quantity generators and small quantity generators must ensure it is taken directly from the laboratory(ies) to an on-site central accumulation area, or on-site interim status or permitted treatment, storage or disposal facility, or transported off-site. (2) Conditionally exempt small quantity generators must ensure it is taken directly from the laboratory(ies) to any of the types of facilities listed in §261.5(f)(3) for acute hazardous waste, or §261.5(g)(3) for hazardous waste.

(e) An unwanted material that is a hazardous waste is subject to all applicable hazardous waste regulations when it is removed from the laboratory.	(e) An unwanted material that is a hazardous waste is subject to all applicable hazardous waste regulations when it is removed from the laboratory.
New - 262.211	**Old - 262.211**
§262.211 Making the hazardous waste determination at an on-site central accumulation area. If an eligible academic entity makes the hazardous waste determination, pursuant to §262.11, for unwanted material at an on-site central accumulation area, it must comply with the following: (a) A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site central accumulation area. (b) All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site central accumulation area. (c) The unwanted material becomes subject to the generator accumulation regulations of §262.16 for small quantity generators or §262.17 for large quantity generators as soon as it arrives in the central accumulation area, except for the "hazardous waste" labeling conditions of §262.16(b)(6) and §262.17(a)(5). (d) A trained professional must determine, pursuant to §262.11(a) through (d), if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at the on-site central accumulation area. (e) If the unwanted material is a hazardous waste, the eligible academic entity must: (1) Write the words "hazardous waste" on the container label that is affixed or attached to the container, within 4 calendar days of arriving at the on-site central accumulation area and before the hazardous waste may be removed from the on-site central accumulation area, and (2) Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous	**§262.211 Making the hazardous waste determination at an on-site central accumulation area.** If an eligible academic entity makes the hazardous waste determination, pursuant to §262.11, for unwanted material at an on-site central accumulation area, it must comply with the following: (a) A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site central accumulation area. (b) All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site central accumulation area. (c) The unwanted material becomes subject to the generator accumulation regulations of §262.34(a) (or §262.34(j) and (k) for Performance Track members) for large quantity generators or §262.34(d)-(f) for small quantity generators as soon as it arrives in the central accumulation area, except for the "hazardous waste" labeling requirements of §262.34(a)(3) (or §262.34(j)(6) for Performance Track members). (d) A trained professional must determine, pursuant to §262.11, if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at the on-site central accumulation area. (e) If the unwanted material is a hazardous waste, the eligible academic entity must: (1) Write the words "hazardous waste" on the container label that is affixed or attached to the container, within 4 calendar days of arriving at the on-site central accumulation area and before the hazardous waste may be removed from the on-site central accumulation area, and (2) Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or

waste may be treated or disposed of on-site or transported off-site, and (3) Count the hazardous waste toward the eligible academic entity's generator category, pursuant to §262.13 in the calendar month that the hazardous waste determination was made, and (4) Manage the hazardous waste according to all applicable hazardous waste regulations.	attached to the container, if that is preferred) before the hazardous waste may be treated or disposed of on-site or transported off-site, and (3) Count the hazardous waste toward the eligible academic entity's generator status, pursuant to §261.5(c) and (d) in the calendar month that the hazardous waste determination was made, and (4) Manage the hazardous waste according to all applicable hazardous waste regulations.
New - 262.212	**Old - 262.212**
§262.212 Making the hazardous waste determination at an on-site interim status or permitted treatment, storage or disposal facility. If an eligible academic entity makes the hazardous waste determination, pursuant to §262.11, for unwanted material at an on-site interim status or permitted treatment, storage or disposal facility, it must comply with the following: (a) A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site interim status or permitted treatment, storage or disposal facility. (b) All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site interim status or permitted treatment, storage or disposal facility. (c) The unwanted material becomes subject to the terms of the eligible academic entity's hazardous waste permit or interim status as soon as it arrives in the on-site treatment, storage or disposal facility. (d) A trained professional must determine, pursuant to §262.11(a) through (d), if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at an on-site interim status or permitted treatment, storage, or disposal facility.	**§262.212 Making the hazardous waste determination at an on-site interim status or permitted treatment, storage or disposal facility.** If an eligible academic entity makes the hazardous waste determination, pursuant to §262.11, for unwanted material at an on-site interim status or permitted treatment, storage or disposal facility, it must comply with the following: (a) A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site interim status or permitted treatment, storage or disposal facility. (b) All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site interim status or permitted treatment, storage or disposal facility. (c) The unwanted material becomes subject to the terms of the eligible academic entity's hazardous waste permit or interim status as soon as it arrives in the on-site treatment, storage or disposal facility. (d) A trained professional must determine, pursuant to §262.11, if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at an on-site interim status or permitted treatment, storage or disposal facility.

(e) If the unwanted material is a hazardous waste, the eligible academic entity must: (1) Write the words "hazardous waste" on the container label that is affixed or attached to the container within 4 calendar days of arriving at the on-site interim status or permitted treatment, storage or disposal facility and before the hazardous waste may be removed from the on-site interim status or permitted treatment, storage or disposal facility, and (2) Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste may be treated or disposed on-site or transported off-site, and (3) Count the hazardous waste toward the eligible academic entity's generator status, pursuant to §261.5(c) and (d) in the calendar month that the hazardous waste determination was made, and (4) Manage the hazardous waste according to all applicable hazardous waste regulations.	(e) If the unwanted material is a hazardous waste, the eligible academic entity must: (1) Write the words "hazardous waste" on the container label that is affixed or attached to the container within 4 calendar days of arriving at the on-site interim status or permitted treatment, storage or disposal facility and before the hazardous waste may be removed from the on-site interim status or permitted treatment, storage or disposal facility, and (2) Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste may be treated or disposed on-site or transported off-site, and (3) Count the hazardous waste toward the eligible academic entity's generator status, pursuant to §261.5(c) and (d) in the calendar month that the hazardous waste determination was made, and (4) Manage the hazardous waste according to all applicable hazardous waste regulations.
New - 262.213	**Old - 262.213**
§262.213 Laboratory clean-outs. (a) One time per 12 month period for each laboratory, an eligible academic entity may opt to conduct a laboratory clean-out that is subject to all the applicable requirements of this subpart, except that: (1) If the volume of unwanted material in the laboratory exceeds 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material or 1 kg of solid reactive acutely hazardous unwanted material), the eligible academic entity is not required to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material or 1 kg of solid reactive acutely hazardous unwanted material), as required by §262.208. Instead, the eligible academic entity must remove all unwanted materials from the laboratory within 30 calendar days from the start of the laboratory clean-out; and (2) For the purposes of on-site accumulation, an eligible academic entity is not required to count a hazardous waste that is an unused commercial chemical product (listed in 40 CFR part 261, subpart D or exhibiting	**§262.213 Laboratory clean-outs.** (a) One time per 12 month period for each laboratory, an eligible academic entity may opt to conduct a laboratory clean-out that is subject to all the applicable requirements of this subpart, except that: (1) If the volume of unwanted material in the laboratory exceeds 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), the eligible academic entity is not required to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), as required by §262.208. Instead, the eligible academic entity must remove all unwanted materials from the laboratory within 30 calendar days from the start of the laboratory clean-out; and (2) For the purposes of on-site accumulation, an eligible academic entity is not required to count a hazardous waste that is an unused commercial chemical product (listed in 40 CFR part 261, subpart D or exhibiting one

one or more characteristics in 40 CFR part 261, subpart C) generated solely during the laboratory clean-out toward its hazardous waste generator category, pursuant to §262.13. An unwanted material that is generated prior to the beginning of the laboratory clean-out and is still in the laboratory at the time the laboratory clean-out commences must be counted toward hazardous waste generator category, pursuant to §262.13, if it is determined to be hazardous waste; and (3) For the purposes of off-site management, an eligible academic entity must count all its hazardous waste, regardless of whether the hazardous waste was counted toward generator category under paragraph (a)(2) of this section, and if it generates more than 1 kg/month of acute hazardous waste or more than 100 kg/month of non-acute hazardous waste (i.e., the very small quantity generator limits as defined in §260.10 of this chapter), the hazardous waste is subject to all applicable hazardous waste regulations when it is transported off site; and (4) An eligible academic entity must document the activities of the laboratory clean-out. The documentation must, at a minimum, identify the laboratory being cleaned out, the date the laboratory clean-out begins and ends, and the volume of hazardous waste generated during the laboratory clean-out. The eligible academic entity must maintain the records for a period of three years from the date the clean-out ends; and	or more characteristics in 40 CFR part 261, subpart C) generated solely during the laboratory clean-out toward its hazardous waste generator status, pursuant to §261.5(c) and (d). An unwanted material that is generated prior to the beginning of the laboratory clean-out and is still in the laboratory at the time the laboratory clean-out commences must be counted toward hazardous waste generator status, pursuant to §261.5(c) and (d), if it is determined to be hazardous waste; and (3) For the purposes of off-site management, an eligible academic entity must count all its hazardous waste, regardless of whether the hazardous waste was counted toward generator status under paragraph (a)(2) of this section, and if it generates more than 1 kg/month of acute hazardous waste or more than 100 kg/month of hazardous waste (i.e., the conditionally exempt small quantity generator limits of §261.5), the hazardous waste is subject to all applicable hazardous waste regulations when it is transported off-site; and (4) An eligible academic entity must document the activities of the laboratory clean-out. The documentation must, at a minimum, identify the laboratory being cleaned out, the date the laboratory clean-out begins and ends, and the volume of hazardous waste generated during the laboratory clean-out. The eligible academic entity must maintain the records for a period of three years from the date the clean-out ends; and
(b) For all other laboratory clean-outs conducted during the same 12-month period, an eligible academic entity is subject to all the applicable requirements of this subpart, including, but not limited to: (1) The requirement to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), as required by §262.208; and (2) The requirement to count all hazardous waste, including unused hazardous waste, generated during the laboratory clean-out toward its hazardous waste generator category, pursuant to §262.13.	(b) For all other laboratory clean-outs conducted during the same 12-month period, an eligible academic entity is subject to all the applicable requirements of this subpart, including, but not limited to: (1) The requirement to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), as required by §262.208; and (2) The requirement to count all hazardous waste, including unused hazardous waste, generated during the laboratory clean-out toward its hazardous waste generator status, pursuant to §261.5(c) and (d).

New - 262.214	Old - 262.214
§262.214 Laboratory management plan. An eligible academic entity must develop and retain a written Laboratory Management Plan, or revise an existing written plan. The Laboratory Management Plan is a site-specific document that describes how the eligible academic entity will manage unwanted materials in compliance with this subpart. An eligible academic entity may write one Laboratory Management Plan for all the laboratories owned by the eligible academic entity that have opted into this subpart, even if the laboratories are located at sites with different EPA Identification Numbers. The Laboratory Management Plan must contain two parts with a total of nine elements identified in paragraphs (a) and (b) of this section. In Part I of its Laboratory Management Plan, an eligible academic entity must describe its procedures for each of the elements listed in paragraph (a) of this section. An eligible academic entity must implement and comply with the specific provisions that it develops to address the elements in Part I of the Laboratory Management Plan. In Part II of its Laboratory Management Plan, an eligible academic entity must describe its best management practices for each of the elements listed in paragraph (b) of this section. The specific actions taken by an eligible academic entity to implement each element in Part II of its Laboratory Management Plan may vary from the procedures described in the eligible academic entity's Laboratory Management Plan, without constituting a violation of this subpart. An eligible academic entity may include additional elements and best management practices in Part II of its Laboratory Management Plan if it chooses. (a) The eligible academic entity must implement and comply with the specific provisions of Part I of its Laboratory Management Plan. In Part I of its Laboratory Management Plan, an eligible academic entity must: (1) Describe procedures for container labeling in accordance with §262.206(a), as follows: (i) Identifying whether the eligible academic entity will use the term “unwanted material” on the containers in the laboratory. If not, identify an equally effective term that will be used in lieu of “unwanted material” and consistently by the eligible academic entity. The equally effective term, if used, has the same meaning and is subject to the same requirements as “unwanted material.”	**§262.214 Laboratory management plan.** An eligible academic entity must develop and retain a written Laboratory Management Plan, or revise an existing written plan. The Laboratory Management Plan is a site-specific document that describes how the eligible academic entity will manage unwanted materials in compliance with this subpart. An eligible academic entity may write one Laboratory Management Plan for all the laboratories owned by the eligible academic entity that have opted into this subpart, even if the laboratories are located at sites with different EPA Identification Numbers. The Laboratory Management Plan must contain two parts with a total of nine elements identified in paragraphs (a) and (b) of this section. In Part I of its Laboratory Management Plan, an eligible academic entity must describe its procedures for each of the elements listed in paragraph (a) of this section. An eligible academic entity must implement and comply with the specific provisions that it develops to address the elements in Part I of the Laboratory Management Plan. In Part II of its Laboratory Management Plan, an eligible academic entity must describe its best management practices for each of the elements listed in paragraph (b) of this section. The specific actions taken by an eligible academic entity to implement each element in Part II of its Laboratory Management Plan may vary from the procedures described in the eligible academic entity's Laboratory Management Plan, without constituting a violation of this subpart. An eligible academic entity may include additional elements and best management practices in Part II of its Laboratory Management Plan if it chooses. (a) The eligible academic entity must implement and comply with the specific provisions of Part I of its Laboratory Management Plan. In Part I of its Laboratory Management Plan, an eligible academic entity must: (1) Describe procedures for container labeling in accordance with §262.206(a), as follows: (i) Identifying whether the eligible academic entity will use the term “unwanted material” on the containers in the laboratory. If not, identify an equally effective term that will be used in lieu of “unwanted material” and consistently by the eligible academic entity. The equally effective term, if used, has the same meaning and is subject to the same requirements as “unwanted material.”

(ii) Identifying the manner in which information that is "associated with the container" will be imparted.

(2) Identify whether the eligible academic entity will comply with §262.208(a)(1) or (a)(2) for regularly scheduled removals of unwanted material from the laboratory.

(b) In Part II of its Laboratory Management Plan, an eligible academic entity must:

(1) Describe its intended best practices for container labeling and management (see the required standards at §262.206).

(2) Describe its intended best practices for providing training for laboratory workers and students commensurate with their duties (see the required standards at §262.207(a)).

(3) Describe its intended best practices for providing training to ensure safe on-site transfers of unwanted material and hazardous waste by trained professionals (see the required standards at §262.207(d)(1)).

(4) Describe its intended best practices for removing unwanted material from the laboratory, including:

(i) For regularly scheduled removals—Develop a regular schedule for identifying and removing unwanted materials from its laboratories (see the required standards at §262.208(a)(1) and (a)(2)).

(ii) For removals when maximum volumes are exceeded:

(A) Describe its intended best practices for removing unwanted materials from the laboratory within 10 calendar days when unwanted materials have exceeded their maximum volumes (see the required standards at §262.208(d)).

(B) Describe its intended best practices for communicating that unwanted materials have exceeded their maximum volumes.

(5) Describe its intended best practices for making hazardous waste determinations, including specifying the duties of the individuals involved in the process (see the required standards at §262.11(a) through (d) and §§262.209 through 262.212).

(6) Describe its intended best practices for laboratory clean-outs, if the eligible academic entity plans to use the incentives for laboratory clean-outs provided in §262.213, including:

(i) Procedures for conducting laboratory clean-outs (see the required standards at §262.213(a)(1) through (3)); and

(ii) Procedures for documenting laboratory clean-outs (see the required standards at §262.213(a)(4)).

(7) Describe its intended best practices for emergency prevention, including:

(ii) Identifying the manner in which information that is "associated with the container" will be imparted.

(2) Identify whether the eligible academic entity will comply with §262.208(a)(1) or (a)(2) for regularly scheduled removals of unwanted material from the laboratory.

(b) In Part II of its Laboratory Management Plan, an eligible academic entity must:

(1) Describe its intended best practices for container labeling and management (see the required standards at §262.206).

(2) Describe its intended best practices for providing training for laboratory workers and students commensurate with their duties (see the required standards at §262.207(a)).

(3) Describe its intended best practices for providing training to ensure safe on-site transfers of unwanted material and hazardous waste by trained professionals (see the required standards at §262.207(d)(1)).

(4) Describe its intended best practices for removing unwanted material from the laboratory, including:

(i) For regularly scheduled removals—Develop a regular schedule for identifying and removing unwanted materials from its laboratories (see the required standards at §262.208(a)(1) and (a)(2)).

(ii) For removals when maximum volumes are exceeded:

(A) Describe its intended best practices for removing unwanted materials from the laboratory within 10 calendar days when unwanted materials have exceeded their maximum volumes (see the required standards at §262.208(d)).

(B) Describe its intended best practices for communicating that unwanted materials have exceeded their maximum volumes.

(5) Describe its intended best practices for making hazardous waste determinations, including specifying the duties of the individuals involved in the process (see the required standards at §262.11 and §§262.209 through 262.212).

(6) Describe its intended best practices for laboratory clean-outs, if the eligible academic entity plans to use the incentives for laboratory clean-outs provided in §262.213, including:

(i) Procedures for conducting laboratory clean-outs (see the required standards at §262.213(a)(1) through (3)); and

(ii) Procedures for documenting laboratory clean-outs (see the required standards at §262.213(a)(4)).

(7) Describe its intended best practices for emergency prevention, including:

(i) Procedures for emergency prevention, notification, and response, appropriate to the hazards in the laboratory; and (ii) A list of chemicals that the eligible academic entity has, or is likely to have, that become more dangerous when they exceed their expiration date and/or as they degrade; and (iii) Procedures to safely dispose of chemicals that become more dangerous when they exceed their expiration date and/or as they degrade; and (iv) Procedures for the timely characterization of unknown chemicals. (c) An eligible academic entity must make its Laboratory Management Plan available to laboratory workers, students, or any others at the eligible academic entity who request it. (d) An eligible academic entity must review and revise its Laboratory Management Plan, as needed.	(i) Procedures for emergency prevention, notification, and response, appropriate to the hazards in the laboratory; and (ii) A list of chemicals that the eligible academic entity has, or is likely to have, that become more dangerous when they exceed their expiration date and/or as they degrade; and (iii) Procedures to safely dispose of chemicals that become more dangerous when they exceed their expiration date and/or as they degrade; and (iv) Procedures for the timely characterization of unknown chemicals. (c) An eligible academic entity must make its Laboratory Management Plan available to laboratory workers, students, or any others at the eligible academic entity who request it. (d) An eligible academic entity must review and revise its Laboratory Management Plan, as needed.
New - 262.215	**Old - 262.215**
§262.215 Unwanted material that is not solid or hazardous waste. (a) If an unwanted material does not meet the definition of solid waste in §261.2, it is no longer subject to this subpart or to the RCRA hazardous waste regulations. (b) If an unwanted material does not meet the definition of hazardous waste in §261.3, it is no longer subject to this subpart or to the RCRA hazardous waste regulations, but must be managed in compliance with any other applicable regulations and/or conditions.	**§262.215 Unwanted material that is not solid or hazardous waste.** (a) If an unwanted material does not meet the definition of solid waste in §261.2, it is no longer subject to this subpart or to the RCRA hazardous waste regulations. (b) If an unwanted material does not meet the definition of hazardous waste in §261.3, it is no longer subject to this subpart or to the RCRA hazardous waste regulations, but must be managed in compliance with any other applicable regulations and/or conditions.

New - 262.216	Old - 262.216
§262.216 Non-laboratory hazardous waste generated at an eligible academic entity. An eligible academic entity that generates hazardous waste outside of a laboratory is not eligible to manage that hazardous waste under this subpart; and (a) Remains subject to the generator requirements of §§262.11 and 262.15 for large quantity generators and small quantity generators (if the hazardous waste is managed in a satellite accumulation area), and all other applicable generator requirements of 40 CFR part 262, with respect to that hazardous waste; or (b) Remains subject to the conditional exemption of §262.14 for very small quantity generators, with respect to that hazardous waste.	**§262.216 Non-laboratory hazardous waste generated at an eligible academic entity.** An eligible academic entity that generates hazardous waste outside of a laboratory is not eligible to manage that hazardous waste under this subpart; and (a) Remains subject to the generator requirements of §§262.11 and 262.34(c) for large quantity generators and small quantity generators (if the hazardous waste is managed in a satellite accumulation area), and all other applicable generator requirements of 40 CFR part 262, with respect to that hazardous waste; or (b) Remains subject to the conditional exemption of §261.5(b) for conditionally exempt small quantity generators, with respect to that hazardous waste.