



COMPLIANCE SECTION

Fluorescent Bulbs and Ballasts: Ohio Rule Changes

Used lamps, which include incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps, were formerly considered characteristic byproducts when they were being recycled. This meant that the lamps were excluded from the hazardous waste regulation because they were not considered wastes. Used lamps that were being discarded still needed to be evaluated to determine if they were hazardous.

The new Ohio rulemaking effective December 7, 2004 considers used lamps as “spent materials” which remain as hazardous waste even when recycled, unless they are managed as universal wastes. Therefore, hazardous waste lamp generators have the option to handle their lamps as hazardous wastes or as universal wastes. Ohio’s universal waste rules are contained in OAC 3745-273.

Used lamps are regulated under the hazardous waste rules because they may contain mercury, lead and cadmium. The presence of these metals is the reason that most lamps meet the hazardous waste characteristic criteria for heavy metals. The new rulemaking does not affect non-hazardous used lamps. Although these may also be managed as universal wastes, this is not required.

The Ohio EPA has published a guidance document entitled, “Universal Waste Rules for Handlers of Lamps.” This document, which summarizes OAC 3745-273-05, is located at http://www.epa.state.oh.us/dhwm/pdf/Universal_Waste_Rules_for_Handlers_of_Lamps.pdf. This document discusses the requirements for the management of used lamps as a universal waste. These requirements include, but are not limited to:

- Proper packaging of the lamps to minimize breakage and to contain possible releases due to breakage. Acceptable packaging includes double- or triple-ply cardboard containers with closed lids or packaging in which new lamps are shipped from the manufacturer.
- Labeling of waste lamps or their containers with “Universal Waste Lamp(s),” “Waste Lamp(s)” or “Used Lamps.” The containers do not need to be labeled as hazardous waste unless they are being managed as such.
- Properly marking the lamps with the date the lamps became a waste or were received or maintaining an inventory system that identifies when lamps became a waste or were received.
- Accumulating the used lamps as universal wastes for less than one year.
- Using only another universal waste handler or permitted destination facility to manage the used lamps.

SUMMARY

In summary, new rules effective December 7, 2004 change the requirements for used lamps. After this date lamps which are hazardous (e.g. for a waste characteristic such as metals) must either be managed as hazardous waste or as universal wastes. For more information, please contact Emily Rynders or Dave Strayer at the Payne Firm at (513) 489-2255 or via e-mail at ear@paynefirm.com or dcs@paynefirm.com.