

Policy on Disposal of Regulated (Hazardous) Materials
November 22, 1999

It is a violation of federal and state law to leave Regulated (Hazardous) Materials (e.g., chemicals, biological agents, and radioactive materials) in University facilities (e.g., laboratories, maintenance spaces, art classes, shops, loading docks, closets, or any other area where these materials are used) unless they are properly capped, stored, and labeled. It is also a violation of law to fail properly to dispose of such materials when they are no longer needed. Effective December 1, 1999, the following policy will govern the use, storage, and disposal of Regulated (Hazardous) Materials in University facilities.

I. It is the responsibility of the faculty member or supervisor in charge of a University facility to assure that federal and state laws on the use, storage, and disposal of Regulated (Hazardous) Materials (RHM) are obeyed. In the case of teaching labs and facilities, the departmental chair is responsible. Each University facility should have updated policies in place to govern these matters.

II. It is the responsibility of the College or School dean or the director of an administrative department to assure that these obligations are met. The Office of Environmental Health and Safety (OEHS) is available to explain the scope and content of applicable laws and to assist deans, department chairs, laboratory directors, and directors of administrative departments with the development of policies.

III. Subject to the limitations recited below, OEHS will arrange for the disposal of unwanted or unneeded RHM at no cost to the laboratory, department, College, or School.

IV. There will be a temporary amnesty for the disposal of unwanted or unknown materials currently located in University facilities. Any unknowns reported to OEHS prior to January 15, 2000, will be disposed of by OEHS at no cost to the facility or department. If unknowns are reported to OEHS after that date or are discovered by inspections after that date, the cost of disposal will be paid by the department occupying the space. To avoid being responsible for unknowns left behind by graduate and undergraduate students, it is advisable that persons responsible for all places where RHM are used develop a system to assure that students do not leave the facility before their RHM are properly labeled, identified, and placed in closed containers.

V. Before a facility where RHM have been utilized is vacated for remodeling, for new occupants, or upon the retirement of faculty members, the department responsible for the area must notify OEHS. Staff from OEHS will meet with individuals who are departing the facility to assist them in determining any appropriate packaging or shipping requirements. They will also evaluate any RHM that will be left behind, and if necessary arrange for the packaging and removal of wastes by a waste contractor. They will also assist in coordinating any renovation projects, and if necessary alert planners and contractors to any asbestos-containing materials. There will be no cost for waste removal services if OEHS is notified well in advance (at least 30 days before the facility is to be vacated) and if the occupants are able accurately to identify wastes and other RHM. If OEHS is not notified in a timely manner and is forced to make arrangements with a waste contractor for emergency services, or if materials in a facility cannot be identified, the department will be required to pay the cost of disposal services (including identification of unknowns, which currently costs about \$250 per container; the current cost for a typical facility clean out can exceed \$10,000). If renovations are made or new occupants move into an area that contains old or unwanted RHM or unlabeled waste, the department will be held responsible for any disposal costs. Facilities Management must notify OEHS if they encounter RHM or unlabeled waste in an area to be renovated. New occupants who move into a facility and find RHM left by their predecessors must contact OEHS as soon as possible.

VI. As required by an Executive Compliance Agreement with the Department of Environmental Quality, OEHS will conduct inspections of all University facilities on unannounced schedules. If RHM are not capped, stored, and labeled in a proper manner, occupants will be cited for a RHM violation and the responsible individual, the department chair or supervisor, the dean or director of an administrative department, and the appropriate vice president will be notified. The Virginia Department of Environmental Quality, the federal Environmental Protection Agency, and/or the Nuclear Regulatory Commission will also inspect facilities from time to time. Financial penalties resulting from violations of state or federal law for which they cite the University can be very serious. Such penalties will not be paid from central University resources but must be borne by the laboratory, department, College, or School.