

WAC 173-303-235 Alternative requirements for eligible academic laboratories. (1) The following definitions apply to this section:

(a) "College/university" means a private or public, postsecondary, degree-granting, academic institution, that is accredited by an accrediting agency listed annually by the U.S. Department of Education.

(b) "Eligible academic entity" means a college or university, or a nonprofit 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.

(c) "Formal written affiliation agreement" for a nonprofit 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 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.

(d) "Laboratory" means an area owned by an eligible academic entity where relatively small quantities of chemicals and other substances are used on a nonproduction 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.

(e) "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 subsection (9) of this section does not qualify as a laboratory clean-out.

(f) "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, postdoctoral fellows, interns, researchers, technicians, supervisors/managers, and principal investigators. A person does not need to be paid or otherwise compensated for their work in the laboratory to be considered a laboratory worker. Undergraduate and graduate students in a supervised classroom setting are not laboratory workers.

(g) "Nonprofit research institute" means an organization that conducts research as its primary function and files as a nonprofit organization under the tax code of 26 U.S.C. 501(c)(3).

(h) "Reactive acutely hazardous unwanted material" means an unwanted material that is one of the acutely hazardous commercial chemical products listed in WAC 173-303-9903 for reactivity.

(i) "Teaching hospital" means a hospital that trains students to become physicians, nurses, or other health or laboratory personnel.

(j) "Trained professional" means a person who has completed the applicable dangerous waste training requirements of WAC 173-303-200 (1)(e)(i) for large quantity generators, or is knowledgeable about normal operations and emergencies in accordance with WAC 173-303-172 (12)(c) for generators regulated under WAC 173-303-172 and small quantity generators. A trained professional may be an employee of the eligible academic entity or may be a contractor or vendor who meets the requisite training requirements.

(k) "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 dangerous 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 WAC 173-303-016, or a dangerous waste pursuant to WAC 173-303-070. If an eligible academic entity elects to use another equally effective term in lieu of unwanted material, as allowed by subsection (7)(a)(i)(A) of this section, the equally effective term has the same meaning and is subject to the same requirements as unwanted material under this section.

(1) "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.

(2) Purpose and applicability.

(a) Large quantity generators and medium quantity generators. This section provides alternative requirements to the requirements in WAC 173-303-070(3) and 173-303-174 for the dangerous waste determination and accumulation of dangerous waste in laboratories owned by eligible academic entities that choose to be subject to this section, provided that they complete the notification requirements in subsection (4) of this section.

(b) Small quantity generators. This section provides alternative requirements to the conditional exemption in WAC 173-303-171 for the accumulation of dangerous waste in laboratories owned by eligible academic entities that choose to be subject to this section, provided that they complete the notification requirements of subsection (4) of this section.

(3) This section is optional.

(a) Large quantity generators and medium quantity generators: Eligible academic entities have the option of complying with this section with respect to its laboratories, as an alternative to complying with the requirements of WAC 173-303-070(3) and 173-303-174.

(b) Small quantity generators: Eligible academic entities have the option of complying with this section with respect to its laboratories, as an alternative to complying with the conditional exemption of WAC 173-303-171.

(4) How an eligible academic entity indicates it will be subject to the requirements of this section.

(a) An eligible academic entity must notify the department in writing, using the Washington State Dangerous Waste Site Identification form, that it is electing to be subject to the requirements of this section for all the laboratories owned by the eligible academic entity under the same EPA/state identification number. An eligible academic entity that is a small quantity generator must notify that it is electing to be subject to the requirements of this section for all the laboratories owned by the eligible academic entities that are on-

site. An eligible academic entity must submit a separate notification (Washington State Dangerous Waste Site Identification form) for each EPA/state identification number that is electing to be subject to the requirements of this section, and must submit the Washington State Dangerous Waste Site Identification form before it begins operating under this section.

(b) When submitting the Washington State Dangerous Waste Site Identification form, the eligible academic entity must completely fill out the form according to the form instructions including, but not limited to, the following fields:

- (i) Reason for submittal;
- (ii) Site EPA/state identification number;
- (iii) Site name;
- (iv) Site location information;
- (v) Site land type;
- (vi) North American Industry Classification System (NAICS) code(s) for the site;
- (vii) Site mailing address;
- (viii) Site contact person;
- (ix) Operator and legal owner of the site;
- (x) Type of regulated waste activity;
- (xi) 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 section.

(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 section.

(e) A nonprofit 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 nonprofit research institute for as long as its laboratories are subject to this section.

(5) How an eligible academic entity indicates it will withdraw from the requirements of this section.

(a) An eligible academic entity must notify in writing, using the Washington State Dangerous Waste Site Identification form, that it is electing to no longer be subject to the requirements of this section for all the laboratories owned by the eligible academic entity under the same EPA/state identification number and that it will comply with the requirements of WAC 173-303-070(3) and 173-303-174 for large quantity generators and for medium quantity generators. An eligible academic entity that is a small quantity generator must also notify that it is withdrawing from the requirements of this section for all the laboratories owned by the eligible academic entity that are on site under the same EPA/state identification number and that it will comply with the conditional exemption in WAC 173-303-171. An eligible academic entity must submit a separate notification (Washington State Dangerous Waste Site Identification form) for each EPA/state identification number that is withdrawing from the requirements of this section and must submit the Washington State Dangerous Waste Site Identification form before it begins operating under the requirements of WAC 173-303-070(3) and 173-303-174 for large quantity generators and for medium quantity generators and WAC 173-303-171 for small quantity generators.

(b) When submitting the Washington State Dangerous Waste Site Identification form, the eligible academic entity must completely fill out the form according to the form instructions including, but not limited to, the following fields:

- (i) Reason for submittal;
- (ii) Site EPA/state identification number;
- (iii) Site name;
- (iv) Site location information;
- (v) Site land type;
- (vi) North American Industry Classification System (NAICS) code(s) for the site;
- (vii) Site mailing address;
- (viii) Site contact person;
- (ix) Operator and legal owner of the site;
- (x) Type of regulated waste activity;
- (xi) 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.

(6) Summary of the requirements of this section. An eligible academic entity that chooses to be subject to this section is not required to have interim status or a final facility Part B permit for the accumulation of unwanted material and dangerous waste in its laboratories, provided the laboratories comply with the provisions of this section and the eligible academic entity has a laboratory management plan (LMP) in accordance with subsection (15) of this section that describes how the laboratories owned by the eligible academic entity will comply with the requirements of this section.

(7) 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:

(i) The following information must be affixed or attached to the container:

(A) 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;

(B) The date that the unwanted material first began accumulating in the container; and

(C) 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:

(I) The name of the chemical(s);

(II) The type or class of chemical, such as organic solvents or halogenated organic solvents;

(III) The risk(s) associated with the unwanted material.

(ii) The following information may be affixed or attached to the container, but must at a minimum be associated with the container.

This includes information sufficient to allow a trained professional to properly identify whether an unwanted material is a solid and dangerous waste and to assign the proper dangerous waste code(s), pursuant to WAC 173-303-070(3). Examples of information that would allow a trained professional to properly identify whether an unwanted material is a solid or dangerous 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:

(i) Containers are maintained and kept in good condition and damaged containers are replaced, overpacked, or repaired;

(ii) 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

(iii) Containers must be kept closed at all times, except:

(A) When adding, removing or bulking unwanted material;

(B) 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

(C) When venting of a container is necessary.

(I) For the proper operation of laboratory equipment, such as with in-line collection of unwanted materials from high performance liquid chromatographs; or

(II) To prevent dangerous situations, such as build-up of extreme pressure.

(8) 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 section 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:

(i) Instruction by the professor or laboratory manager before or during an experiment;

(ii) Formal classroom training;

(iii) Electronic/written training;

(iv) On-the-job training; or

(v) Written or oral exams.

(c) An eligible academic entity that is a large quantity generator must maintain documentation for the durations specified in WAC 173-303-330(3) 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:

(i) Sign-in/attendance sheet(s) for training session(s);

(ii) Syllabus for training session;

(iii) Certificate of training completion; or

(iv) Test results.

(d) A trained professional must:

(i) Accompany the transfer of unwanted material and dangerous waste when the unwanted material and dangerous waste is removed from the laboratory; and

(ii) Make the dangerous waste determination, pursuant to WAC 173-303-070(3), for unwanted material.

(9) Removing containers of unwanted material from the laboratory.

(a) Removing containers of unwanted material on a regular schedule. An eligible academic entity must either:

(i) Remove all containers of unwanted material from each laboratory on a regular interval, not to exceed six months; or

(ii) Remove containers of unwanted material from each laboratory within six 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 (a)(i) or (ii) of this subsection 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 (a)(i) or (ii) of this subsection and develop a schedule for regular removals of unwanted material from its laboratories.

(d) Removing containers of unwanted material when volumes are exceeded.

(i) If a laboratory accumulates a total volume of unwanted material (including reactive acutely hazardous unwanted material) in excess of fifty-five 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):

(A) Are marked on the label that is affixed or attached to the container with the date that fifty-five gallons is exceeded; and

(B) Are removed from the laboratory within ten calendar days of the date that fifty-five gallons was exceeded, or at the next regularly scheduled removal, whichever comes first.

(ii) If a laboratory accumulates more than one quart (or 2.2 pounds) of reactive acutely hazardous unwanted material before the regularly scheduled removal, the eligible academic entity must ensure that all containers of reactive acutely hazardous unwanted material:

(A) Are marked on the label that is affixed or attached to the container with the date that one quart (or 2.2 pounds) is exceeded; and

(B) Are removed from the laboratory within ten calendar days of the date that one quart (or 2.2 pounds) was exceeded, or at the next regularly scheduled removal, whichever comes first.

(10) Where and when to make the dangerous waste determination and where to send containers of unwanted material upon removal from the laboratory.

(a) Large quantity generators and medium quantity generators - An eligible academic entity must ensure that a trained professional makes a dangerous waste determination, pursuant to WAC 173-303-070(3), for unwanted material in any of the following areas:

(i) In the laboratory before the unwanted material is removed from the laboratory, in accordance with subsection (11) of this section;

(ii) Within four calendar days of arriving at an on-site central accumulation area, in accordance with subsection (12) of this section; and

(iii) Within four calendar days of arriving at an on-site interim status or permitted treatment, storage or disposal facility, in accordance with subsection (13) of this section.

(b) Small quantity generators - An eligible academic entity must ensure that a trained professional makes a dangerous waste determination, pursuant to WAC 173-303-070(3), for unwanted material in the laboratory before the unwanted material is removed from the laboratory, in accordance with subsection (11) of this section.

(11) Making the dangerous waste determination in the laboratory before the unwanted material is removed from the laboratory. If an eligible academic entity makes the dangerous waste determination, pursuant to WAC 173-303-070(3), for unwanted material in the laboratory, it must comply with the following:

(a) A trained professional must make the dangerous waste determination, pursuant to WAC 173-303-070(3), before the unwanted material is removed from the laboratory.

(b) If an unwanted material is a dangerous waste, the eligible academic entity must:

(i) Write the words "hazardous waste" or "dangerous wastes" on the container label that is affixed or attached to the container, before the dangerous waste may be removed from the laboratory; and

(ii) Write the appropriate dangerous 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 dangerous waste is transported off-site; and

(iii) Count the dangerous waste toward the eligible academic entity's generator status, pursuant to WAC 173-303-169, in the calendar month that the dangerous waste determination was made.

(c) A trained professional must accompany all dangerous 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 dangerous hazardous waste is removed from the laboratory:

(i) Large quantity generators and medium 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.

(ii) Small quantity generators must ensure it is taken directly from the laboratory(ies) to any of the types of facilities listed in WAC 173-303-171 (1)(e) for dangerous waste.

(e) An unwanted material that is a dangerous waste is subject to all applicable dangerous waste regulations when it is removed from the laboratory.

(12) Making the dangerous waste determination at an on-site central accumulation area. If an eligible academic entity makes the dangerous waste determination, pursuant to WAC 173-303-070(3), 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 WAC 173-303-200 for large quantity generators

or WAC 173-303-172 for medium quantity generators as soon as it arrives in the central accumulation area.

(d) A trained professional must determine, pursuant to WAC 173-303-070(3), if the unwanted material is a dangerous waste within four calendar days of the unwanted materials' arrival at the on-site central accumulation area.

(e) If the unwanted material is a dangerous waste, the eligible academic entity must:

(i) Write the words "hazardous waste" or "dangerous waste" on the container label that is affixed or attached to the container, within four calendar days of arriving at the on-site central accumulation area and before the dangerous waste may be removed from the on-site central accumulation area;

(ii) Write the appropriate dangerous 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 dangerous waste may be treated or disposed of on-site or transported off-site;

(iii) Count the dangerous waste toward the eligible academic entity's generator status, pursuant to WAC 173-303-169 in the calendar month that the dangerous waste determination was made; and

(iv) Manage the dangerous waste according to all applicable dangerous waste regulations.

(13) Making the dangerous waste determination at an on-site interim status or permitted treatment, storage or disposal facility.

If an eligible academic entity makes the dangerous waste determination, pursuant to WAC 173-303-070(3), 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 dangerous 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 WAC 173-303-070(3), if the unwanted material is a dangerous waste within four 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 dangerous waste, the eligible academic entity must:

(i) Write the words "hazardous waste" or "dangerous waste" on the container label that is affixed or attached to the container within four calendar days of arriving at the on-site interim status or permitted treatment, storage or disposal facility and before the dangerous waste may be removed from the on-site interim status or permitted treatment, storage or disposal facility; and

(ii) Write the appropriate dangerous 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 dangerous waste may be treated or disposed on-site or transported off-site; and

(iii) Count the dangerous waste toward the eligible academic entity's generator status, pursuant to WAC 173-303-169 in the calendar month that the dangerous waste determination was made; and

(iv) Manage the dangerous waste according to all applicable dangerous waste regulations.

(14) Laboratory clean-outs.

(a) One time per twelve-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 section, except that:

(i) If the volume of unwanted material in the laboratory exceeds fifty-five gallons (or one quart of liquid or 2.2 pounds of solid reactive acutely hazardous unwanted material), the eligible academic entity is not required to remove all unwanted materials from the laboratory within ten calendar days of exceeding fifty-five gallons (or one quart of liquid or 2.2 pounds of solid reactive acutely hazardous unwanted material), as required by subsection (9) of this section. Instead, the eligible academic entity must remove all unwanted materials from the laboratory within thirty calendar days from the start of the laboratory clean-out; and

(ii) For the purposes of on-site accumulation, an eligible academic entity is not required to count a dangerous waste that is an unused commercial chemical product (listed in WAC 173-303-9903, or exhibiting one or more characteristics in WAC 173-303-090 or exhibits a state criteria in WAC 173-303-100) generated solely during the laboratory clean-out toward its dangerous waste generator status, pursuant to WAC 173-303-169. 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 dangerous waste generator status, pursuant to WAC 173-303-169, if it is determined to be dangerous waste;

(iii) For the purposes of off-site management, an eligible academic entity must count all its dangerous waste, regardless of whether the dangerous waste was counted toward generator status under (a)(ii) of this subsection, and if it generates more than 2.2 pounds/month of acute hazardous waste, more than 2.2 pounds of WT01 EHW or more than two hundred twenty pounds/month of dangerous waste, the dangerous waste is subject to all applicable dangerous waste regulations when it is transported off-site; and

(iv) 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 dangerous waste generated during the laboratory clean-out. The eligible academic entity must maintain the records for a period of five years from the date the clean-out ends; and

(b) For all other laboratory clean-outs conducted during the same twelve-month period, an eligible academic entity is subject to all the applicable requirements of this section including, but not limited to:

(i) The requirement to remove all unwanted materials from the laboratory within ten calendar days of exceeding fifty-five gallons (or one quart of reactive acutely hazardous unwanted material), as required by subsection (9) of this section; and

(ii) The requirement to count all dangerous waste, including unused dangerous waste, generated during the laboratory clean-out toward its dangerous waste generator status, pursuant to WAC 173-303-169.

(15) 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 section. 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 section, even if the laboratories are located at sites with different EPA/state identification numbers. The laboratory management plan must contain two parts with a total of nine elements identified in (a) and (b) of this subsection. In Part I of its laboratory management plan, an eligible academic entity must describe its procedures for each of the elements listed in (a) of this subsection. 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 (b) of this subsection. 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 section. 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:

(i) Describe procedures for container labeling in accordance with subsection (7)(a) of this section, as follows:

(A) 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."

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

(ii) Identify whether the eligible academic entity will comply with subsection (9)(a)(i) or (ii) of this section for regularly scheduled removals of unwanted material from the laboratory.

(b) In Part II of its laboratory management plan, an eligible academic entity must:

(i) Describe its intended best practices for container labeling and management (see the required standards in subsection (7) of this section).

(ii) Describe its intended best practices for providing training for laboratory workers and students commensurate with their duties (see the required standards in subsection (8)(a) of this section).

(iii) 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 in subsection (8)(d)(i) of this section).

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

(A) For regularly scheduled removals - Develop a regular schedule for identifying and removing unwanted materials from its laboratories (see the required standards in subsection (9)(a)(i) and (ii) of this section).

(B) For removals when maximum volumes are exceeded:

(I) Describe its intended best practices for removing unwanted materials from the laboratory within ten calendar days when unwanted materials have exceeded their maximum volumes (see the required standards in subsection (9)(d) of this section).

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

(v) Describe its intended best practices for making dangerous waste determinations, including specifying the duties of the individuals involved in the process (see the required standards in WAC 173-303-070(3) and subsections (10) through (13) of this section).

(vi) 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 subsection (14) of this section, including:

(A) Procedures for conducting laboratory clean-outs (see the required standards in subsection (14)(a)(i) through (iii) of this section); and

(B) Procedures for documenting laboratory clean-outs (see the required standards in subsection (14)(a)(iv) of this section).

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

(A) Procedures for emergency prevention, notification, and response, appropriate to the hazards in the laboratory;

(B) 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;

(C) Procedures to safely dispose of chemicals that become more dangerous when they exceed their expiration date and/or as they degrade; and

(D) Procedures for the timely designation 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.

(16) Unwanted material that is not solid or dangerous waste.

(a) If an unwanted material does not meet the definition of solid waste in WAC 173-303-016, it is no longer subject to this section or to the dangerous waste regulations.

(b) If an unwanted material does not meet the definition of dangerous waste in WAC 173-303-070, it is no longer subject to this subsection or to the dangerous waste regulations, but must be managed in compliance with any other applicable regulations and/or conditions.

(17) Nonlaboratory dangerous waste generated at an eligible academic entity. An eligible academic entity that generates dangerous waste outside of a laboratory is not eligible to manage that dangerous waste under this section; and

(a) Remains subject to the generator requirements of WAC 173-303-070(3), 173-303-170, 173-303-172 for medium quantity generators, and 173-303-200 through 173-303-201 for large quantity generators and all other applicable generator requirements of chapter 173-303 WAC, with respect to that dangerous waste; or

(b) Remains subject to the conditional exemption of WAC 173-303-171 for small quantity generators, with respect to that dangerous waste.

[Statutory Authority: Chapters 70.105, 70.105D RCW and RCRA. WSR 19-04-038 (Order 16-03), § 173-303-235, filed 1/28/19, effective 4/28/19. Statutory Authority: Chapter 70.105 RCW. WSR 15-01-123 (Order 13-07), § 173-303-235, filed 12/18/14, effective 1/18/15.]