**Hazardous Materials and Hazardous UPPS No. 04.05.06 (REISSUED)**

**Waste Management Issue No. 9**

 **Effective Date: 06/09/2020**

 **Next Review Date: 10/01/2023 (E3Y)**

**Sr. Reviewer: Director, Environmental Health, Safety and Risk Management**

**01. POLICY STATEMENTS**

01.01 Hazardous materials and hazardous waste can pose a threat to students, employees, visitors, and the environment if managed improperly. To minimize the possibility of such threats, appropriate practices and procedures are essential. The purpose of this university policy and procedure statement (UPPS) is to establish a hazardous materials and hazardous waste management program.

01.02 Environmental Health, Safety, and Risk Management (EHSRM) has primary responsibility for Texas State University’s hazardous materials and hazardous waste management program. The director of EHSRM, or designee, is authorized to take action to assure compliance with applicable regulations and policies and to minimize physical and environmental threats on university property (whether owned or leased). This includes having delegated authority from the president to order the cessation of activities or operations, as needed, to administer this policy.

01.03 The university is registered as a hazardous waste generator by the Environmental Protection Agency (EPA) and the Texas Commission for Environmental Quality (TCEQ). Procedures outlined herein are designed to promote the protection of health and the environment by compliance with applicable regulations.

01.04 Non-compliance with hazardous materials and hazardous waste regulations can result in violations against the university from regulatory agencies, as well as the assessment of fines and in some cases, criminal penalties. Disciplinary action may be taken against university personnel or students who do not comply with this policy and associated regulations.

**02. DEFINITIONS**

02.01 Hazardous Materials – any substance or chemical that may present a health or physical hazard to individuals when handled in the normal course of their work, or which can cause harm to people, plants, or animals when released to the environment. Hazardous materials become hazardous waste when they are discarded or no longer needed or used for their intended purpose.

02.02Hazardous Waste – any discarded hazardous material or substance generated during a process which is deemed unusable and displays the characteristics of ignitability, corrosivity, reactivity, or toxicity, or is listed as a hazardous waste by the United States Environmental Protection Agency (USEPA) in [40 CFR 261, Identification and Listing of Hazardous Waste](https://www.govinfo.gov/content/pkg/CFR-2012-title40-vol27/xml/CFR-2012-title40-vol27-part261.xml).

02.03 Hazardous Waste Generator – any person who produces hazardous waste through any process or who discards unused or unwanted hazardous material.

**03. RESPONSIBILITIES**

 03.01 EHSRM has primary responsibility for managing the hazardous materials and hazardous waste programs, including responsibility to:

a. develop policies and procedures for Texas State based on federal, state, and local regulations, as well as guidelines and best practices regarding hazardous materials and hazardous waste;

b. maintain required regulatory documentation; prepare and submit all required regulatory reports; and coordinate as needed with all local, state, and federal agencies on issues and concerns related to compliance with hazardous materials and hazardous waste regulations;

c. coordinate and authorize disposal of all university hazardous waste, including collection of waste from hazardous waste generators and coordinating the packing and transporting of hazardous waste with the waste disposal contractor to the permitted treatment, storage, and disposal facility. All hazardous and industrial class waste disposals must be authorized by EHSRM;

d. develop and maintain training for faculty and staff in order to maintain compliance with applicable hazardous materials and hazardous waste regulations;

e. meet with all new hazardous waste generators to identify hazardous waste streams and set up a satellite accumulation area (SAA) and provide information to the generator to maintain SAA compliance; and

f. conduct inspections relating to hazardous materials and hazardous waste.

03.02 Hazardous waste generators have primary responsibility for ensuring that applicable federal, state, and local regulations and university policies and procedures relating to hazardous waste are followed in their work areas.

03.03 Faculty and staff who are responsible for laboratories or who supervise personnel who work in laboratories where hazardous materials are present have primary responsibility for ensuring compliance with all applicable local, state, and federal regulations, applicable university policies, and with the [University Chemical Hygiene Plan](https://www.fss.txstate.edu/ehsrm/programs/LabSafety/Chemical-Hygiene-Plan.html), including responsibility to:

1. develop and maintain a current laboratory chemical inventory in the format designated by the EHSRM Office;
2. maintain up-to-date safety data sheets (SDS) for all hazardous materials in the work area in an easily accessible location; and
3. provide site-specific training in accordance with this policy.

03.04 University staff who are responsible for a non-laboratory work area or who supervise personnel who work in non-laboratory areas where hazardous materials are present are responsible for ensuring compliance with all applicable local, state, and federal regulations, applicable university policies, and with the [University Hazard Communication Program](https://gato-docs.its.txstate.edu/jcr%3A074ef5df-c0bf-4978-b581-00736b292f91/Hazard%20Communication%20Program%202016.pdf), including responsibility to:

1. develop, maintain and make available to all staff, a current Work Area Chemical List (WACL);
2. maintain up-to-date SDS for all hazardous materials in the work area in an easily accessible location; and
3. provide site-specific training in accordance with this policy.

03.05 Department heads and those who supervise university employees who work in areas with hazardous materials and hazardous waste are responsible for identifying employees who are required to take applicable safety training and ensure that the training indicators are tied to their position numbers in SAP.

**04. TRAINING**

04.01 Appropriate supervision and training is required for all situations in which hazardous materials are utilized at the university.

04.02 All faculty, staff, and students employed with the university and any unpaid individuals who work research labs and who handle hazardous materials in the course of their work must take the applicable hazard communications training. This training is required to be completed on an annual basis.

04.03 All faculty, staff, and students employed with the university and any unpaid individuals who work in research labs and who handle hazardous waste in the course of their work must take hazardous waste training. This training is required to be completed on an annual basis.

04.04 All faculty and staff who supervise employees who work in areas with hazardous materials or hazardous waste must provide site-specific training per requirements of the [University Chemical Hygiene Plan](https://www.fss.txstate.edu/ehsrm/programs/LabSafety/Chemical-Hygiene-Plan.html) which covers the hazards present in their work area, the locations of personal protective equipment (PPE), proper use of administrative and engineering controls present in the work area, and the location of any applicable procedures or plans, chemical inventory, and SDS.

**05. HAZARDOUS MATERIALS MANAGEMENT PROCEDURES**

05.01 Hazardous materials must be handled in such a way as to protect the health and safety of university faculty, staff, students, university property, and the environment.

05.02 Hazardous materials must be stored in a safe and secure area that cannot be accessed by unauthorized individuals.

05.03 Hazardous materials must be labeled according to the [Texas Hazard Communication Act](https://statutes.capitol.texas.gov/Docs/HS/htm/HS.502.htm) and stored in accordance with the recommendations of the manufacturer’s SDS.

* 1. Purchase of Hazardous Materials
1. Hazardous materials should be purchased in a manner that minimizes the quantity of hazardous materials in the work area and hazardous waste generated. The purchaser should always consider whether the quantity being ordered will be used prior to the expiration date. Ordering large volumes of hazardous materials in order to receive discounts is discouraged. All purchase requests which include hazardous materials will be reviewed by EHSRM for conformance with the [University Pollution Prevention and Waste Minimization Plan](https://gato-docs.its.txstate.edu/jcr%3Ac1306bbd-a2c6-4ce7-aa9b-9ab8b396e174/2015%20P2%20Plan%20Final.pdf).
2. All purchases of hazardous materials as defined in this policy must use the Chemicals and Gases GL code found in Accounts Payable’s guidance titled [Commonly Used Expense GLs](https://www.txstate.edu/gao/ap/resources/GL-Codes.html).

1. Purchase requests for hazardous materials having high regulatory or health consequence may require the submission of a current standard operating procedure addressing the hazards and proper use and storage of the chemical which is specific to the work area in which it will be used and stored.
2. Because of federal and state regulations regarding the procurement of hazardous materials, all such purchases must be approved through the university’s purchasing system. Use of alternate approved university procurement methods, including procurement cards to purchase hazardous materials is strictly prohibited.

05.05 Hazardous Materials and Hazardous Waste Transportation and Shipping

1. The transport of hazardous materials by government employees for non-commercial purposes is exempt from the requirements of the [US Department of Transportation (USDOT) Hazardous Materials Regulations](https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-regulations), including placarding and commercial driver’s license requirements, under the following conditions:
2. the material may not be transported for commerce, it must remain within the state, and it must be is packaged according to these procedures;
3. the hazardous materials and hazardous waste must be packaged in a manner that will prevent leakage and spills, and it must have a label affixed to the container identifying the contents of the container and the hazards associated with it; and
4. hazardous waste cannot be transported between campuses (i.e., Round Rock, STAR, Texas State).
5. Shipping of hazardous materials, including biological materials, requires specific, periodic training mandated by the USDOT. The type of training depends on the materials shipped and the method of shipment. Prior to shipping any hazardous materials, proof of current training must be provided to and approved by EHSRM. Shipping without proper training can result in substantial monetary fines and potential criminal penalties.

**06. PROCEDURES FOR HAZARDOUS WASTE DISPOSAL**

06.01 Management of hazardous waste for disposal is strictly limited to EHSRM. Hazardous waste is collected and stored by EHSRM, and shipped to a permitted treatment, storage, or disposal facility. University departments or areas that handle hazardous waste are not authorized to undertake disposal procedures without contacting EHSRM.

06.02 Hazardous waste may not be disposed of in the trash or down the drain. Improperly managed hazardous waste can present a safety hazard to the campus and surrounding communities, create a physical hazard to plumbing and buildings, and create an environmental hazard should releases occur to the air, ground, or water.

06.03 Hazardous waste generators must ensure that applicable federal, state, and local regulations and university policies and procedures relating to hazardous waste are followed in their work areas and must comply with all [Satellite Accumulation Area Requirements](https://gato-docs.its.txstate.edu/jcr%3Aecd21c56-1e0f-4cb1-ae04-ff994e1d5f84/Satellite%20Accumulation%20Area%20Requirements%20Posting.pdf) by:

1. properly labeling and identifying all hazardous waste. The generator will use the Texas State [Hazardous Waste Label](https://www.fss.txstate.edu/ehsrm/programs/hazard.html) and list all contents added to the container when they are added;
2. ensuring all waste added to a waste container is compatible (see [Hazardous Waste Compatibility Chart](https://gato-docs.its.txstate.edu/jcr%3Ae85dfbd8-f7ea-4d2a-af40-de1ae1af5b11/Haz%20Waste_Compatibility_Chart.pdf)), and that the waste container is compatible with the substances being added to it;
3. using a secondary containment tray for the storage of all hazardous wastes;
4. keeping hazardous waste containers closed when not in active use;
5. ensuring that no more than 55 gallons of hazardous waste is accumulated at one time; and
6. contacting EHSRM for waste pick-up prior to reaching accumulation limits or when the waste container is full, whichever occurs first. To request a hazardous waste pick-up, the generator may fill out the Hazardous Waste Pick Up Request form on the [EHSRM website](https://www.fss.txstate.edu/ehsrm/forms.html), or call 512.245.3616.

**07. WASTE MINIMIZATION AND SOURCE REDUCTION**

07.01 Texas State is dedicated to reducing the volume of hazardous waste generated at its campuses. As a large quantity generator of hazardous waste, the university is required to have a [Pollution Prevention (P2) and Waste Minimization Plan](https://gato-docs.its.txstate.edu/jcr%3Ac1306bbd-a2c6-4ce7-aa9b-9ab8b396e174/2015%20P2%20Plan%20Final.pdf) which describes the initiatives the university will take to reduce the quantity of hazardous waste generated.

07.02 All university employees (faculty, staff, and students) who use, order, or supervise people who use or order hazardous materials, are responsible for adhering to the waste minimization principles in the [P2 Plan](https://gato-docs.its.txstate.edu/jcr%3Ac1306bbd-a2c6-4ce7-aa9b-9ab8b396e174/2015%20P2%20Plan%20Final.pdf). These principles include:

1. substituting non-hazardous materials in place of hazardous materials whenever possible;
2. purchasing hazardous chemicals only in the amounts that are needed to complete a project. Ordering of hazardous materials in bulk for cost savings is highly discouraged as the costs for disposal of unused hazardous materials is much higher;

1. actively managing the chemical inventory by rotating older chemicals out of stock areas first;
2. modifying experimental processes whenever possible to reduce waste generation; and
3. segregating all waste streams and accurately labeling waste containers as to their exact content.

**08. PROCEDURES FOR HANDLING AND PREVENTING SPILLS OF HAZARDOUS MATERIALS OR HAZARDOUS WASTE**

08.01 All university employees who work with or transport hazardous materials or hazardous waste are responsible for maintaining good work practices in order to prevent spills of those materials, including:

1. use of secondary containment for hazardous material storage and any time hazardous materials are transported in a vehicle or within a building;
2. monitoring chemical transfers at all times; and
3. checking for and promptly repairing leaks from equipment and vehicles.

08.02 All university employees must take prompt and appropriate action when a spill occurs. The first person on the scene of a spill must determine if the spill is an incidental or significant spill:

1. An incidental spill is a spill of a known chemical that is of low risk to human health and safety and is a small volume spill (generally less than five gallons) that does not endanger property or the environment.
2. A significant spill is any spill of an unknown substance or a spill of a known chemical that may threaten human health and safety, is a large volume (generally greater than five gallons), or that may threaten to harm property or the environment.

08.03 All university employees who work with hazardous materials and hazardous waste must be familiar with:

1. the hazards present in their work area;
2. the location of fire extinguishers, eye wash stations, and emergency showers in their work area; and
3. the location of spill control material and cleanup supplies in their work area. Each laboratory should routinely review the materials in their spill kits to ensure materials are appropriate for the chemicals present in the work area.

08.04 In the event of an incidental spill, the person who is familiar with the substance should:

a. alert people in the work area that a spill has occurred;

b. locate the nearest spill kit for cleanup supplies;

c. put on appropriate PPE, such as goggles and gloves, before beginning cleanup;

1. use absorbent material from the spill kit to absorb spilled materials; and
2. place the saturated absorbent and all contaminated cleaning materials, in a waste bag from the spill kit, place a hazardous waste label on the bag, and contact EHSRM to report the spill and request a waste pick up.

08.05 In the event of a significant spill, the person who is first on the scene must:

1. alert people in the area and evacuate, close all doors, and pull the fire alarm if the building needs to be evacuated;
2. identify the spilled material, if it can be done safely;
3. if the spill involves a flammable liquid, all ignition sources must be turned off, if it can be done safely;

1. once evacuated, any contaminated persons must isolate and protect themselves and others from chemical exposure;
2. the University Police Department (UPD) must be called, at 911, and provided the following information:
3. the location of the spill (building and room number);
4. if there are there any injuries and if medical attention is needed;
5. the identity of the spilled materials;
6. the approximate volume of spilled material;
7. any details about the cause of the spill and any actions taken to mitigate the spill; and
8. where the person will meet emergency responders, and a call back number (if available); and
9. Following notification to 911, all significant spills or spills involving chemical exposure should be immediately reported to EHSRM at 512. 245.3616. This is important to ensure that there has not been any exposures or injuries and that the spill is reported to the appropriate regulatory agencies. The spill reports are used to develop practices to reduce the likelihood of future spills.

**09. REFERENCES**

09.01 [Occupational Safety and Health Standards Act, 29 CFR, Part 1910,](https://www.osha.gov/laws-regs/regulations/standardnumber/1910) relating to working in areas with hazardous substances; Occupational Health and Safety Administration (OSHA); [www.osha.gov](https://www.osha.gov/laws-regs).

09.02 [Hazardous Materials Regulations, 49 CFR 171 – 180, Parts 171 – 180](https://www.ecfr.gov/cgi-bin/text-idx?SID=1d49a3b137cb1b6fc45251074e634b44&tpl=/ecfrbrowse/Title49/49tab_02.tpl), relating to transportation and shipping of hazardous materials; U.S. Department of Transportation (DOT); [www.phmsa.dot.gov](https://www.phmsa.dot.gov/)

09.03 [Resource Conservation and Recovery Act, 40 CFR, Parts 260 through 265](https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-regulations), relating to hazardous waste identification and management; U.S. Environmental Protection Agency (USEPA); [www.epa.gov](http://www.epa.gov)

09.04 [Industrial Solid Waste and Municipal Hazardous Waste Regulations, 30 TAC Chapter 335](https://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=335), relating to hazardous and industrial waste identification and management in Texas; TCEQ; [www.tceq.texas.gov](https://www.tceq.texas.gov/assets/public/legal/rules/rules/pdflib/335a.pdf)

09.05 [Texas Hazard Communication Act (Worker Right-to-Know Act), Texas Health and Safety Code Chapter 502](https://statutes.capitol.texas.gov/Docs/HS/htm/HS.502.htm), relating to working in areas with hazardous substances in Texas, Texas Department of Health and Human Services; [www.dshs.texas.](https://www.dshs.texas.gov/hazcom/laws-rules.aspx?terms=texas%20hazardous%20communication%20act)

09.06 City of San Marcos Industrial User and Wastewater Pre-treatment Ordinance, relating to wastewater discharge prohibitions to the sanitary sewer, City of San Marcos, [www.sanmarcostx.gov](http://www.sanmarcostx.gov)

**10. REVIEWERS OF THIS UPPS**

10.01 Reviewers of this UPPS include the following:

Position Date

Director, Environmental Health, Safety, October 1 E3Y

and Risk Management

Dean, College of Science and October 1 E3Y

Engineering

Director, Facilities Management October 1 E3Y

Associate Vice President for Research October 1 E3Y

and Federal Relations

**11. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Director, Environmental Health, Safety, and Risk Management; senior reviewer of this UPPS

Vice President for Finance and Support Services

President