1.0 Purpose & Scope

Staff and contractors are encouraged to procure non-hazardous materials (e.g., janitorial, operational maintenance, construction) per Executive Order 13423. This procedure describes the steps to store, handle, and dispose of hazardous waste and common materials that may pose a threat or concern (i.e., paint). This includes chemicals used by and for GSA, discovered under any circumstance, and Hazardous Waste generated from remodeling and building demolition and environmental remediation projects. Disposal of excavated soil is included in this procedure.

Asbestos and polychlorinated biphenyls (PCB) are not considered hazardous waste:

- Asbestos – covered under the Clean Air Act, NESHAPs or is considered a Solid Waste under RCRA; see Asbestos Management Procedure.
- PCB – covered under Toxic Substances Control Act (TSCA); see PCB Management Procedure.

2.0 Activities & Departments Affected

The following activities/project types/groups are the most likely users of this procedure:

- GSA Contractors (i.e., janitorial), Property Management, and the GSA Denver Federal Center (DFC) Environmental Programs Group (EPG) activities that may use materials that may become hazardous or the discovery of hazardous materials including but not limited to old paints, solvent, cleaning products, stripping compounds, herbicides, pesticides, rodicides, solvents, petroleum products, etc.
- Construction and demolition activities that may generate hazardous wastes (i.e., lead based paint and stripping compounds, residuals in chemical sewers, heavy metals).

The GSA Environmental Programs Group (EPG), located at the DFC is the point of contact for this region with regard to signing profiles and manifests for hazardous waste disposal.

3.0 Exclusions

There are no known exclusions.

4.0 Forms Used & Permits Required: (include reporting requirements)

☐ **Federal and State Forms and Permits**:

PERMIT / FORM / REPORT	SUBMITTED TO: FEDERAL OR STATE AGENCY	SUBMITTAL FREQUENCE
Hazardous Waste Manifest(1)	5-copy form – retain one copy – within 45-days disposal facility will mail back a copy	Each Shipment
Spill/Incident Reports		
EPA Incident Report (1)	U.S. EPA - Region VIII	Per Incident
National Response Center Incident Report	National Response Center (if spill exceeds reportable quantities)	If spill exceeds reportable

PERMIT / FORM / REPORT	SUBMITTED TO: FEDERAL OR STATE AGENCY	SUBMITTAL FREQUENCE
		quantities/Per Incident (40 CFR 302)
State Agency Incident Report	(2) Colorado Department of Public Health & Environment	Per Incident
Local Sanitary Sewer District Incident Report	(2) Metro Wastewater Reclamation District (For Discharge to Sanitary Sewer)	Per Incident

(1) Obtain U.S. Environmental Protection Agency (EPA) Identification Number if needed
Source: Notification of RCRA Subtitle C Activity Instructions and Form EPA Form 8700-12 (OMB# 2050-0024)
(2) Listed agencies pertain to the Denver Federal Center. Check local State and Municipal agencies for state specific forms.

☐ **In-house GSA Region 8 and Contractor Forms**:

- Hazardous Waste Manifests – Provided by the disposal facility, or recycler.
- Waste Profile – Provided by the disposal facility, or recycler.

5.0 Acronyms, Abbreviations, and Definitions

Acronyms	Meaning
CCR	Colorado Code of Regulations
CDPHE	Colorado Department of Public Health and Environment
CESQG	Conditionally Exempt Small Quantity Generator
CFR	Code of Federal Regulations
CO	Contracting Officer
COR	Contracting Officers Representative
DFC	Denver Federal Center
DOT	United States Department of Transportation
EHS	Environmental, Health and Safety
EO	Executive Order
EPA	Environmental Protection Agency
EPG	Environmental Programs Group
GSA	General Services Administration
MSDS	Material Safety Data Sheet
O&M	Operations and Maintenance
PBS	Public Building Services
PCBs	polychlorinated biphenyls
PM	Project Manager
RCRA	Resource Conservation and Recovery Act
SQG	Small Quantity Generator
TCLP	Toxic Characteristic Leaching Procedure

Definitions:
Conditionally Exempt Small Quantity Generator (CESQG): Generator that generates no more than 220 pounds or 25 gallons of hazardous waste, no more than 2.2 pound or less

than a quart of acutely hazardous waste in a calendar month and never accumulates more than 2,200 pounds on-site at one time. Check local State Regulations for requirements.

Construction and demolition materials and debris: Materials and debris generated during construction, renovation, demolition, or dismantling of all structures and buildings and associated infrastructure. Includes but not limited to demolition debris, paint scrapping, removal of parts of building, and remodeling debris.

Contractor: This is the individual that will be performing the work and/or is responsible for disposal of the waste following these procedures.

EPA Identification Number: A unique facility specific tracking number that is required for any shipment of hazardous waste and is issued by the State in which the facility resides. CESQG may be issued a temporary number.

Excavation Soils: Soils excavated from the ground.

GSA Project Manager: This includes GSA employee responsible for the work or contract Project Manager (PM) who represent GSA in overseeing construction projects. The PM is ultimately responsible for assuring compliance with this procedure.

Large Quantity Generator (LQG): Exceeds 2,200 pounds of hazardous waste or more than 2.2 pounds of acute hazardous waste per calendar month.

Small Quantity Generator (SQG): means a generator who generates more than 220 pounds but less than 2,200 pounds of hazardous waste or less than 2.2 pounds of acute hazardous waste in a calendar month.

Toxic Characteristic Leaching Procedure (TCLP): see 40 CFR 261.24, Table 1 for details on the analysis.

Waste: Materials which have been determined by GSA to no longer have any beneficial use for example: non-salvageable demolition debris, used solvents, or products that exceed shelf life. **Material that can be reused or that can be recycled is not a waste**. The rubble from a brick or concrete building that has been abated for asbestos and other hazardous material (i.e., lead or chromium paint) can be used as crushed aggregate, and therefore, is not considered a waste.

6.0 Procedure

State Specific Procedures & Requirements [refer to individual State Legal Reviews for details on Statues, Laws, and Rules]:

STATE REGULATORY AGENCY	REQUIREMENT
Colorado Department of Public Health and Environment (CDPHE), Hazardous	Hazardous Waste Regulations are listed under 6 CCR 1007-3; Standards Applicable to

STATE REGULATORY AGENCY	REQUIREMENT
Materials and Waste Management Division	Transporters of Hazardous Waste are listed under 6 CCR 1007-2
	Colorado Regulations that are More Stringent than the Federal Regulations; January 2007: Colorado regulations are more stringent with regard to handling, storage and disposal of wastes.
	CDPHE Consent Order with GSA at DFC: 96-04-11-01: Implement groundwater containment system at the eastern boundary of the Denver Federal Center (DFC) to prevent further off-site migration of contaminated groundwater [Signed: 04/11/1996]
	CDPHE Consent Order with GSA at DFC: 97-07-18-01: Sitewide assessment of all contamination resulting from activities conducted at the DFC [Signed: 07/18/1997]
Montana Department of Environmental Quality, Permitting and Compliance Division	Hazardous Waste Program: Controls all hazardous wastes that are generated within, or transported to Montana for the purposes of storage, treatment, and disposal or for the purposes of resource conservation or recovery; ARM 17.53
North Dakota Department of Health, Environmental Health Section, Waste Management Division; Hazardous Waste Program (HWP)	Regulates the generation, treatment, recycling, storage, transportation and disposal of hazardous waste and used oil; the HWP implements the requirements of the Resource Conservation and Recovery Act (RCRA) in place of the federal Environmental Protection Agency.
South Dakota Department of Environment and Natural Resources, Division of Environmental Services; Hazardous Waste Program	Adopts the federal hazardous waste regulations by reference. This means that South Dakota's rules cite the federal regulations and are no more stringent than the EPA hazardous waste regulations.
Utah Department of Environmental Quality, Division of Solid and Hazardous Waste, Hazardous Waste Branch	Hazardous Waste Permits, Hazardous Waste Generator Requirements, Recordkeeping and Reporting, Compliance with the Manifest System and Recordkeeping, Contingency Plan and Emergency Procedures, Hazardous Waste Treatment, Storage, and Disposal, Spill Clean-Up, Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities
Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division	Hazardous Waste Rules: Chapter 1-2 Hazardous Waste, Chapter 3-7 Hazardous Waste (Permits), Chapter 8-12 Hazardous Waste (Standards)

Standardized Procedure:

6.0 Parties involved will comply with all federal regulations and applicable state

regulations and local ordinances. Where required obtain permits and comply with reporting requirements. Work at the Denver Federal Center (DFC), must follow the Consent Order issued by the State of Colorado to the GSA.

6.0.1 If unknown or suspicious chemicals are discovered:

- Call **911 or facility specific emergency response number.**
- At the DFC, call **911**, and then notify the Mega Center **1-800-487-4158**, so that Federal Protective Service (FPS) is aware of the discovery of a potential dangerous situation.

6.1 When solid waste is discovered or expected, the Contractor will determine if it is hazardous waste, special waste (such as asbestos, PCB, or universal), or just standard waste.

- In the case of standard waste, the Contractor disposes of the waste at a municipal landfill.
- In the case of special waste, follow the appropriate environmental procedure, such as "Asbestos Management" if asbestos is discovered.
- In the case of hazardous waste, the Contractor will place it in a secured area, known as a "90-Day Storage Area". This needs to be created to store RCRA hazardous waste. See specific storage requirement regulations.
    - Known hazardous waste shall be segregate from other waste when practical.
    - Different waste types (reactive, explosive, etc.) will be segregated.
    - If the content of the material is determined to be hazardous waste, then the waste needs to be disposed of in 90 days of the date that it is determined a waste, or when the waste was 1st generated, at a licensed hazardous waste disposal facility. The time limit is strictly applied and fines up to $25,000 an incident may be levied.
- It is GSA's intent to recycle all materials, when it is economically feasible.
- GSA and/or Contractor will include Pre-Demolition Inspection Reports for demolition projects.
- GSA will include specifications and documentation requirements in bid documents.
- Include manifests and weight tickets in project close out documents/reports.

6.2 When a hazardous material is discovered or the potential exists that a hazardous material may exist either at the DFC or Field Office the Contractor will contact the CO/COR and GSA DFC Environmental Programs Group (EPG) (Mr. John Kleinschmdit, was the DFC Environmental Program Manager at the time this document was developed).

- [*Give the EPG a minimum two (2) days prior notice to coordinate*]

6.3 If a Material Safety Data Sheet (MSDS) is available for the material and it is classified as hazardous, the Contractor will label the drum "Hazardous Waste" or

"TSCA Waste". If it is not hazardous, the Contractor will label the drum "Non-Hazardous Waste". Labeling details follow in section 6.5.

6.4 If no MSDS is available, the Contractor must determine whether or not the waste is hazardous. This can be done through process knowledge the Contractor may possess, or sampling can be done for Toxic Characteristic Leaching Procedure (TCLP) analysis. If sampling, the Contractor will label the container "Pending Analysis". After testing if the waste is found to be hazardous, the Contractor will label/re-label the drum "Hazardous Waste" or "TSCA Waste". If it is not hazardous, the Contractor will label/re-label the drum "Non-Hazardous Waste". Labeling details follow in section 6.6.

6.4.2 Testing and analysis: Toxic Characteristic Leaching Procedure (TCLP):

- Even though the *Pre-demolition Inspection report* may not identify any hazardous waste, the Contractor shall notify the CO/COR and the Project Manager along with the EPG if hazardous waste is suspected.
- Suspected material shall be tested for disposal. Materials which lack MSDS documentation will also be tested.

A representative sample:

When the contractor is choosing what material they are going to test, they should consider the debris that is generated (e.g., a 4" solid wooden wall painted on both sides). A representative sample of the total waste should be collected (e.g., core of the wall with the two painted surfaces. Though the paint itself may fail the TCLP values and be classified as hazardous waste, the analysis is of the entire wall sample may pass and not be classified as hazardous waste for disposal purpose. The sample of the entire wall is more representative of the waste as a whole than the painted surface and is allowed by regulation).

Another example is paint chips from a metal gutter which may fail TCLP for chrome but a billet of the painted metal gutter may pass. Conversely, a waste that contains a very high concentration of a hazardous material that makes up a very small quantity of the total waste volume may cause the entire waste volume to be classified as hazardous for proper disposal. Hazardous waste has drastic cost impacts on a project. The Contractor and PM should consider characterizing the waste streams prior to the start of a project.

- Contact any intended disposal facility for testing requirements.
- Send or deliver sample(s) to an approved laboratory for TCLP analysis. This shall be for the full prescribed suite, unless knowledge exists that only metals are suspected, and then a limited suite of RCRA 8 metals will be run. Additional analytical testing other than TCLP may be required by the landfill, depending on the material. These may

include the testing for hazardous characteristics (corrosives, reactivity, explosively) and paint filter test for free liquids.

- The analytical results shall be transmitted to GSA Project Manager.
  - TCLP information and any other testing required by the disposal facility along with any MSDS's will be provided to EPG for review and EPG will sign the profile.
- EPG will review data and help determine if a hazardous waste has been generated and aid in filling out Waste Profile Sheets.

6.5 Labels should be as follows:

- Hazardous Waste Label will at a minimum contain:
  - GSA, telephone number, Point-of-Contact, and facility address.
  - Date the waste was generated (date you declare it a waste).
  - EPA waste code(s) and/or Characteristic(s) (corrosive, reactive, flammable, toxic, physical state – liquid or solid,
  - Contents Composition.
  - EPA Generator ID Number.
  - DOT shipping information.
- Pending Analyses ans Non-Hazardous Labes will at a minimum contain:.
  - Contents
  - Origin of Materials
  - Address
  - Point of contact information

6.7 If a hazardous waste is CESQG, the Contractor will take it to a local permitted landfill that can handle hazardous waste along with the MSDS, notify the landfill that the waste is hazardous and pay any necessary fees, and dispose of the waste there. The Contractor will obtain a receipt for this, give it to the EPG, and the EPG will retain this receipt for 5 years.

- In towns where GSA Field Offices exist, check with your local hazardous waste disposal facility as for testing. For small known amounts of chemicals testing may not be required, such as for a Conditionally Exempt Small Quantity Generator (CESQG). A CESQG generates no more than 220 pounds or 25 gallons of hazardous waste, no more than 2.2 pound or less than a quart of acutely hazardous waste in a calendar month and never accumulates more than 2,200 pounds on-site at one time. Check local State Regulations for requirements.

6.8 For other wastes, the Contractor will arrange for transport and the EPG will generate a manifest.

6.8.1 Determine if you do or do not have a Hazardous Waste EPA Identification (ID) number:

- The DFC has an existing Hazardous Waste EPA ID number for the DFC that only applies to the DFC.

- If your facility has an ID number, this number is required to be on all manifests.
- If your facility does not have an ID number, determine if you are a Conditionally Exempt Small Quantity Generator or Small Quantity Generator and apply for EPA ID (temporary ID number or permanent ID number). Check your state regulations.

6.8.2 Hazardous Waste Manifests

- The Contractor will fill out the waste profile sheet and present it to the GSA's CO/COR and have the appropriate EPG personnel sign the profile. The Contractor shall submit the profile to the disposal facility for approval. The disposal facilities will charge for review of the profile.
- The disposal facility shall issue the manifest forms based on the GSA signed and Contractor provided profile and analytical information.
- **Hazardous Waste Manifests can only be signed by GSA EPG personnel with specific DOT training**. For GSA Region 8 Field Offices, when the transport driver arrives at facility with the manifest – the driver will sign the manifest and fax front page to EPG for signature. EPG will fax back a signed copy which then allows the local GSA management to counter sign.
  - GSA's personnel from the EPG will sign the manifest. When the Contractor brings the manifest for signature, she/he shall also bring a copy of the TCLP results and the waste profile sheet. **The manifest will not be signed without this information. Costs may be incurred if information package is not complete. If a Contractor is overseeing the disposal, any additional cost incurred because the information is not provided at this time is the responsibility of the contractor.**
- The Contractor/GSA shall then have the transfer truck driver sign the manifest and give the CO/COR the signed "Generators Copy" along with a copy of the TCLP results and submitted profile.
- The Generator Copy of the manifest will be given to the GSA's EPG representative.
- The GSA EPG will be responsible for putting copies into the project files.

6.8.3 Transport to an Approved Hazardous Waste Disposal Facility

- The EPG representative may inspect the waste hauler. Based on this inspection which is guided by DOT regulations, the EPG representative may not release the manifest to the truck driver. Any cost incurred because of GSA's refusal to allow the waste to be picked up is the responsibility of the Contractor coordinating the disposal.
- **At the DFC "All"** above wastes leaving a GSA facility are required to be transferred to the landfill or an appropriate facility under a waste manifest. All recycled materials leaving the facility are required to be

manifested before transfer off the facility. Construction debris, with no known hazardous component shall be manifested as non-hazardous. For materials which have the potential to be hazardous, a TCLP analysis shall be performed (See Sampling and Manifesting Procedure Section 6.5.2). If the results exceed criteria, the wastes shall be shipped under a hazardous waste manifest All manifests for the DFC shall be signed by a designated signatory within the EPG. An exception to this requirement is the asbestos manifests generated from abetment activities which can be signed by the GSA PM.

6.8.4 One a Contractor has removed hazardous waste, they will hive the GSA EPG or Property Manager the TSDF signed original within 45 days. If this is not done with 45 days, the Contractor will submit and exception report to the relevant state agency. The EPG or Property Manager will log and file the corresponding data package and maintain the documentation for at least 3 years.

6.9 If abated paint is suspected of containing lead, chromium, or other regulated compounds during demolition:

- The GSA PM shall contact the EPG for assistance.
- The Contractor performing the work or GSA shall test the paint (TCLP) for disposal.
- If a paint remover is used, the MSDS for the product is submitted to GSA for review, to see if it contains any toxic or hazardous materials.
  - Non-hazardous removal products should be used if available.
- Paints that have been shown to contain toxic or flammable materials require special storage, labeling, and disposal.
  - The contractor has 90 days from generation to dispose of the waste at a hazardous waste disposal facility.

6.10 Possibly Contaminated Excavated Soils [*this general applies to the DFC*]

- The handling of excavated soils at the DFC is covered under the GSA Environmental Procedure - *Excavation Permit Procedure.* The permit will outline the disposal requirements. Any soils, which contain Asbestos Containing Material (ACM), must be disposed of as asbestos containing soil and requires specific procedure. For the DFC, these requirements have been negotiated with the State, CDPHE Solid Waste division on a project-by-project basis. ACM in soils is not classified as a Hazardous Waste.
- If remodeling or doing utility repair within a DFC building or under a sub-slab, hazardous waste regulations apply.
- Additional information on handling soils of this kind are covered under the Site Remediation procedure.

7.0 Records Management

Hazardous Waste manifests

- Required to be retained for 3-years after disposal
- Signed copy of manifest must be sent back to generator within 45-days of disposal.
- Supporting waste profile, TCLP and other analysis, kept with manifest.
- DFC – Hazardous Waste Manifests - copies shall be kept in the associated project files and originals will be kept in the EPG Hazardous Waste Files. This includes any analytical data which supports the waste designation.
- Other GSA offices – send copy to EPG for their records

DFC Manifests
The EPG retains copies of all waste transported off the DFC.

- Asbestos Waste Manifests - copies shall be keep in the associated project files and with the EPG.
- Hazardous Waste Manifests - copies shall be keep in the associated project files and originals will be keep in the EPG Hazardous Waste Files. This includes any analytical data which supports the waste designation.
- Non-hazardous Waste Manifests– copies shall be kept in the associated project files and with the EPG. This includes any analytical data which supports the waste designation.

8.0 References

Executive Order 13101: "Greening the Government through Waste Prevention, Recycling and Federal Acquisition", signed by President William J. Clinton on 14 September 1998.

Executive Order 13423: "Strengthening Federal Environmental, Energy, & Transportation Management", signed by President George W. Bush on 24 January 2007.

Executive Order 13514: "Federal Leadership in Environmental, Energy, and Economic Performance", signed by President Barack Obama on 5 October 2009.

U.S. Environmental Protection Agency [Administering Agency], Resource Conservation and Recovery Act (RCRA) of 1976; 42 U.S.C. § 6901 et seq, as amended by the Federal Facility Compliance Act. [Statute]; 40 CFR 148, 239- 282 {283-299 revised} [Regulation]; Section 6002 of RCRA (42 USC 6962)

U.S. Environmental Protection Agency, 40 CFR 302, reportable quantities (RQ).

State regulations should be consulted for additional requirements through the Environmental Division.

- Colorado: Colorado Hazardous Waste Commission Regulations 6 CCR 1007-3
- Montana: Environmental Quality, Hazardous Waste, Administrative Rules of Montana (ARM) 17.53

- North Dakota: Hazardous Waste Management, North Dakota Administrative Code (NDAC) Article 33-24
- South Dakota: Hazardous Waste, Administrative Rule South Dakota (ARSD) Rule 74:28
- Utah: Environmental Quality, Solid and Hazardous Waste, Utah Administrative Code, R315
- Wyoming: Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division, Hazardous Waste Rules

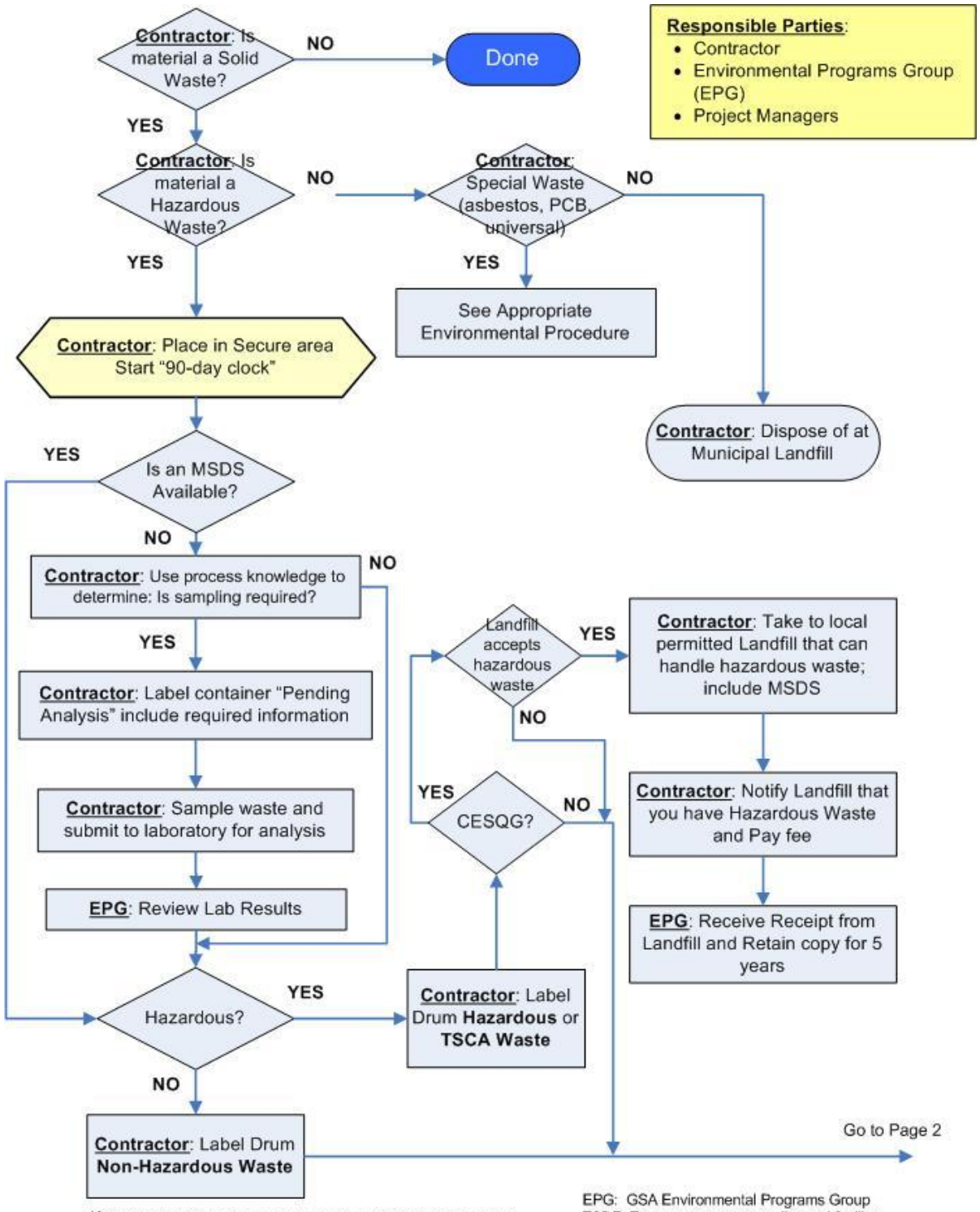
9.0 Appendices

Attachment A: Hazardous Waste Flowchart (2 pages)

Document Control Information:	Approved & Dated:
HazWaste Management *"Month-Date-Year"*.doc	RJM July 6, 2012

Document Revision and Update:		
Revision Date	**Nature of Revision**	**Revision made by:**
12/19/2005 - 03/16/2006	Working Draft - Original Release [Construction, Excavation & HazWaste Management procedure]	Marion Rule, Mike Gasser
06/19/2009 - 01/29/2010	First attempt at merging two Construction Waste procedures together. Add ISO 14001 Document Controls, add state regulations, outline Region 8 requirements, and update to address new federal regulations.	Lindsay Allen, Doug Porter, Robert Melvin
04/02/2010	Separate Hazardous Waste Management from Construction Waste procedure	Robert Melvin, Marion Buntyn
06/21/2010	Rewrite the procedure	Robert Melvin
09/10/2010 and 10/14/2010	Update the procedure, incorporate audit findings pertaining to Field Offices	Mike Gasser, Robert Melvin
06/11/2012	Emphasize Roles and Responsibilities in section 6, update flowchart	Mike Gasser, Nick Gutschow

ATTACHMENT A: Hazardous Waste Flowchart (page 1 of 2)



Key: CESQG (Conditionally Exempt Small Quantity Generator): Generates < 220 pounds of hazardous waste or less than 2.2 pounds of extremely hazardous waste per month (40 CFR 261.5) and State Environmental Regulations, and practices allowed.

EPG: GSA Environmental Programs Group
TSDF: Treatment, storage or disposal facility
TSCA: Toxic Substances Control Act

At the Denver Federal Center some actions preformed by Contractors.

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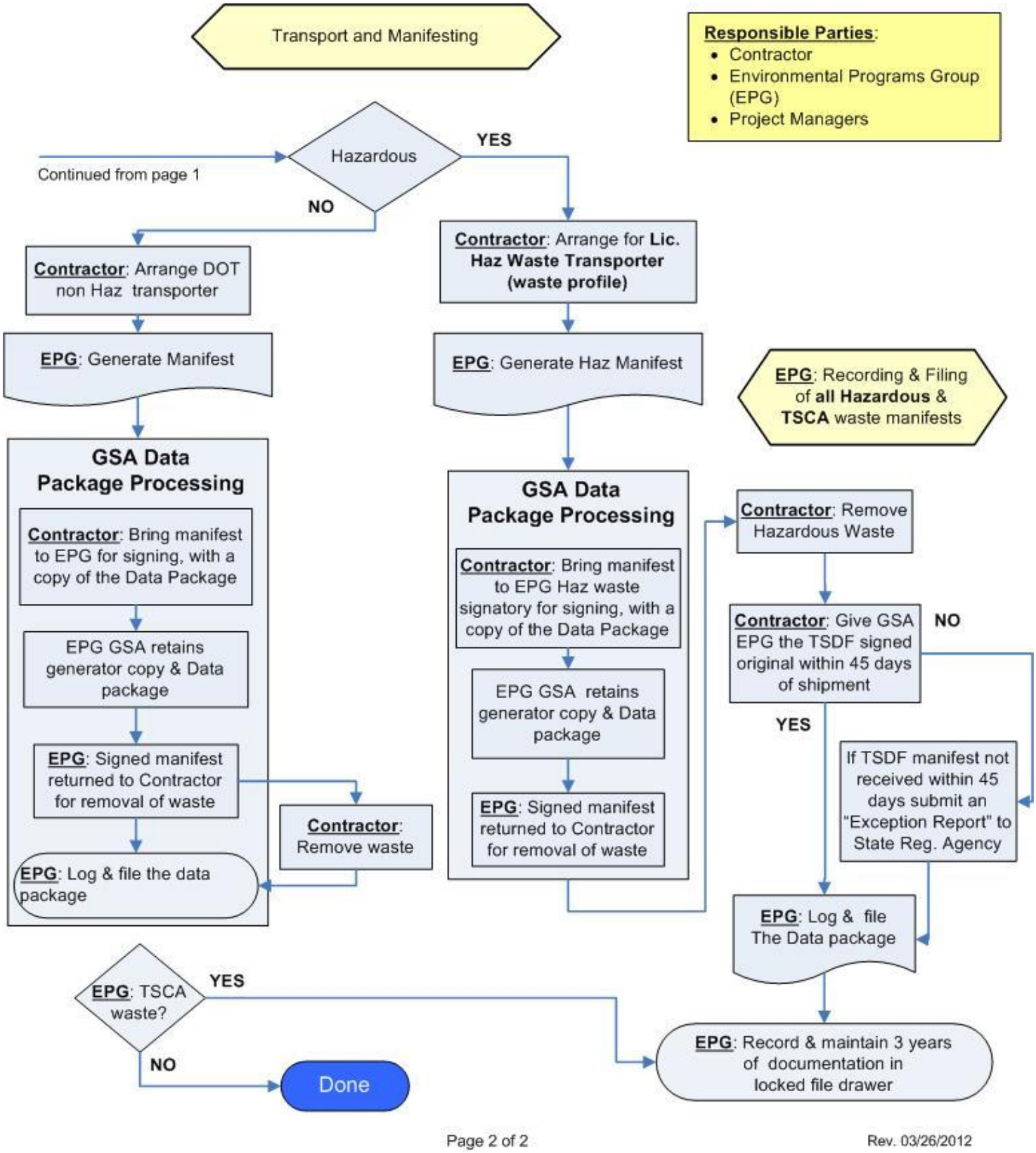
ATTACHMENT A: Hazardous Waste Flowchart (page 2 of 2)