

**APPLICATION**

NYU Langone Medical Center (NYULMC)

**PURPOSE**

- To protect human health and the environment through the proper management and disposal of hazardous waste, universal waste, and used oil from contractors.
- To comply with all applicable federal, state, and local laws and regulations.

**POLICY AND GENERAL INFORMATION**

1.0 Contractors who work on construction, renovation, or building maintenance projects at NYULMC shall collect, store, label, transport and discard universal and hazardous wastes and used oil in accordance with all applicable federal, state and local laws and regulations.

**2.0 RESPONSIBILITIES**

2.1 **Environmental Health and Safety (EH&S)** is responsible for:

- disseminating information about pertinent laws and regulations to NYULMC personnel
- developing *Policy 108a: Hazardous Waste from Contractors (Construction and Building Maintenance)* (the Policy)
- assisting departments in implementing the Policy, including providing guidance and recommending contract language for construction, renovation and building maintenance contracts (see Appendix A)
- approving the *Universal and Hazardous Waste Compliance Plan* (see Appendix B) for each construction and renovation project, and for each contractor engaged in building maintenance
- maintaining manifests
- conducting random quality assurance (QA) inspections of construction and renovation projects to verify compliance with this Policy
- periodically reviewing and updating the Policy as needed

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- 2.2 **The Vice Presidents and Directors of Building Services, Environmental Services, Facilities Operations, Information Technology, Real Estate and RED+F Design and Construction** are responsible for compliance within their departments and divisions. Their responsibilities include, but are not limited to ensuring all of their employees and contractors implement the Policy on construction, renovation, and building maintenance projects.
- 2.3 **Foremen, Managers and Project Managers** (e.g., design, construction, renovation, operations, maintenance, and cable management) are responsible for implementing and maintaining the Policy on their projects. Their responsibilities include, but are not limited to:
- managing their respective construction, renovation, and building maintenance projects in accordance with this Policy, including ensuring that contracts for their projects contain language (see Appendix A) that clearly defines the responsibilities of the contractors for properly managing hazardous waste, universal waste and used oil
  - completing a *Universal and Hazardous Waste Compliance Plan* (see Appendix B) for each of their construction and renovation projects, and for each building maintenance contractor, and obtaining approval for the *Compliance Plan* from EH&S prior to the start of the project
  - ensuring their contractors use only NYULMC's approved hazardous waste contractors for the removal and disposal of hazardous waste, universal waste and used oil, unless EH&S approves project-specific alternate contractor(s)
  - coordinating implementation of the project-specific *Compliance Plan* for each project
  - during daily inspections of their construction/renovation project sites, verifying that their contractors have implemented the *Compliance Plan* and that hazardous waste, universal waste and used oil are being managed properly
  - ensuring that all hazardous waste, universal waste and used oil from their construction, renovation, and building maintenance projects are disposed of properly
  - ensuring their contractors remove all hazardous materials, petroleum products, hazardous waste, universal waste, and used oil from their project sites at the conclusion of projects, unless otherwise instructed
  - correcting problems found on their projects

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### 3.0 SPECIFIC WASTES

This section addresses hazardous waste, universal waste, and used oil, the three most common hazardous waste streams generated on construction, renovation, and building maintenance projects.

#### 3.1 Hazardous waste includes:

- waste paint, varnish, solvent, sealers, thinners, resins, roofing cement, adhesives, machinery lubricants and caulks
  - clean-up materials, such as rags, contaminated with the items listed above, unless test result document that they are not hazardous
  - drums and containers that are not completely empty of the items listed above
  - spent aerosol cans that once contained flammable or toxic solvents and/or propellants
  - used light ballasts, transformers and capacitors unless labeled “non-PCB”
  - broken fluorescent light tubes
  - broken mercury switches and thermostats
  - lead based paint (unless test results document it is not hazardous), lead flashing, lead solder or other lead containing material (e.g., used for shielding)
  - other paint with hazardous components or heavy metals
- All hazardous waste must be labeled as “Hazardous Waste” and list the components of the waste (e.g., “used paint thinner”) on the label.
  - All hazardous waste must be kept in closed containers.
  - All hazardous waste must be transported by a licensed hazardous waste hauler to a disposal facility permitted by the U.S. Environmental Protection Agency (EPA) and approved by EH&S.
  - When feasible, the contractor should be listed as the waste generator on hazardous waste manifests.

3.2 **Universal wastes:** Some hazardous wastes are less stringently regulated IF they are recycled. Examples of universal waste include unbroken fluorescent light lamps, unbroken mercury containing equipment, batteries (except alkaline) and unused pesticides. *Note:* If they are not recycled, universal wastes must be managed as hazardous waste. See *Policy 108c: Universal Waste*.

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3.3 **Used oil** includes:

- hydraulic fluid
  - motor oil
  - grease
  - clean-up materials, such as rags, contaminated with used oil
- All used oil shall be labeled “Used Oil” and must not be labeled “Hazardous Waste”.
  - Used oil shall be placed in secondary containment if it is stored in the vicinity of floor drains or could reasonably be expected to enter the sanitary or storm sewer if spilled.
  - All used oil shall be transported to a recycling facility permitted by the EPA and approved by EH&S.

4.0 **PROCEDURES**

4.1 Prior to the start of each construction, renovation, and building maintenance project, NYULMC’s project director or manager shall do the following:

- ensure appropriate language is included in the construction/maintenance contract(s) (see Appendix A)
- work with EH&S and the contractor(s) to develop a *Universal and Hazardous Waste Compliance Plan* (see Appendix B), and to determine which of NYULMC’s EPA ID#s will be used on waste manifests
- obtain approval from EH&S for the *Compliance Plan*, distributes copies to pertinent contractors and EH&S, and incorporate a copy into the project file
- educate pertinent contractors and staff about the requirements of the *Compliance Plan*
- verify implementation of applicable compliance measures (e.g. training on the *Compliance Plan*, placement and labeling of appropriate waste containers)
- if waste shall be removed by contractors other than NYULMC’s approved hazardous waste contractors:
  - obtain the names of and EPA ID numbers for all facilities that will be used for hazardous waste and used oil and forward this information to EH&S for approval

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- obtain the names of all destination facilities that will be used for universal waste and forward this information to EH&S for approval
- 4.2 During a construction or renovation project, NYULMC’s project director or manager shall inspect the project site daily to verify that hazardous waste, universal waste and used oil are being collected, labeled, stored, removed, transported and discarded properly.
- 4.3 During a construction, renovation, or building maintenance project, NYULMC’s project director or manager shall do the following:
- ensure that EH&S receives copies of all manifests for hazardous waste and universal waste within 48 hours of the time the manifest is signed
  - bring problems to the attention of the appropriate personnel and ensure they are resolved promptly

**Related Safety Policies**

Policy No. 108: Chemical Waste Minimization and Disposal Program

Policy No. 108c: Universal Waste

Policy No. 144: Lead Management Program

<b>Appendix A</b>	Sample Contract Language
<b>Appendix B</b>	Universal and Hazardous Waste Compliance Plan

<b>Issue date</b>	12/13
<b>Replaces</b>	09/06
<b>Reviewed by</b>	J. Kang, Environmental Health and Safety P. Aguilar, Building Services R. Cohen, Facilities Operation B. Everett, Real Estate and Housing A. Holder, Environmental Services P. Schwabacher, Facilities Management <i>NYUHC Environment of Care Committee</i>

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## Sample Contract Language

NYULMC requires that all outside contractors comply with all EPA regulations. NYULMC intends for the contractor to be fully responsible for all EPA compliance.

There are various types of contracts that may have EPA compliance issues. The following lists several types of contracts, with language for environmental issues. It is recommended this type of language be considered for inclusion when developing contracts, specifications, contract drawings, and scopes of work.

### 1. ELEVATOR MAINTENANCE

The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following:

- The on-site personnel must be familiar with the NYULMC Spill Prevention, Control and Countermeasures (SPCC) Plan, and be trained in procedures to follow in the event of an oil spill.
- All substance containers shall be labeled as to their contents and kept closed.
- Safety Data Sheets for all chemicals brought onto the premises shall be present at the location of work, such as the elevator motor rooms.
- All containers of used oil (hydraulic, motor, grease, etc.) must be clearly labeled with the words "Used Oil".
- If 55-gallons or more of used oil is to be transported at any time, the transporter must have an EPA identification number.
- It is the contractor's responsibility to collect and contain oily rags in covered, properly labeled containers. The contractor shall provide containers in all of the elevator motor rooms with gear-type elevators. The contractor is responsible for timely disposal of the rags.
- The contractor is prohibited from using or storing chlorinated solvents on NYULMC property.
- Any hazardous chemical waste (not used oil) must be labeled as "Hazardous Waste", and the components of the waste listed. Any hazardous waste maintained on site must be kept in a closed container. The waste must be properly disposed of through a licensed hazardous waste hauler, approved by NYULMC, at an EPA-permitted facility. The contractor shall be listed as the waste generator. A copy of the hazardous waste manifest must be supplied to the NYULMC project manager. Spent aerosol cans that once contained flammable or toxic solvent/propellant are considered hazardous waste.

### 2. HVAC MAINTENANCE

The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following:

- All technicians on NYULMC property who work with refrigerants must have Universal Certification, and a copy provided to the NYULMC project manager.
- Service records must indicate the amount and type of refrigerant added to the system, as well as a description of the type of service performed.

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### Sample Contract Language

- All recovery and recycling equipment must be certified to meet EPA's minimum requirements.
- Hazardous materials or petroleum products stored in the vicinity of floor drains, or could reasonably be expected to enter the sanitary or storm sewer if spilled, must have secondary containment.
- All substance containers shall be labeled as to their contents and kept closed.
- Safety Data Sheets for all chemical substances brought onto the premises shall be present at the location of work.
- All containers of used oil must be clearly labeled with the words "Used Oil".
- If 55-gallons or more of used oil is to be transported at any time, the transporter must have an EPA identification number, and the NYULMC project manager provided with the information.
- Any hazardous waste (not used oil) must be labeled as "Hazardous Waste", and the components of the waste listed. The waste must be properly disposed of through a licensed hazardous waste hauler, approved by NYULMC, at an EPA-permitted facility. The contractor shall be listed as the waste generator. A copy of the hazardous waste manifest must be supplied to the NYULMC project manager.
- The contractor must remove all hazardous materials and petroleum products from the NYULMC project site at the conclusion of the project, unless specifically requested, in writing, to leave certain materials with the NYULMC project manager.

### 3. RENOVATION (PAINTING, CARPETING/FLOORING, DRYWALL, CEILING, PLUMBING, ETC.), ROOFING, METAL MAINTENANCE

The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following:

- All substance containers shall be labeled as to their contents, and containers kept closed.
- Safety Data Sheets for all chemical substances brought onto the premises shall be present at the location of work.
- Hazardous materials or petroleum products stored in the vicinity of floor drains, or that could reasonably be expected to enter the sanitary or storm sewer if spilled, must have secondary containment.
- All containers of used oil (hydraulic, motor, grease, etc.) must be clearly labeled with the words "Used Oil".
- The contractor is prohibited from using or storing chlorinated solvents on NYULMC property.
- The contractor is responsible for the proper storage, handling and removal from the NYULMC project site of all substances whose disposal may be regulated by the EPA, including but not limited to:
  - paints, paint wastes, lacquers, solvent thinners
  - any hazardous substances such as adhesives, contact cements, roofing products, mineral spirits, solvents, cleaners, etc.
  - oily or solvent-contaminated rags

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## Sample Contract Language

- aerosol cans (spent or unspent)
- fluorescent light tubes
- light ballasts (collect PCB and non-PCB ballasts separately)
- batteries (except alkaline)

None of the above materials are to be disposed of as Construction and Demolition (C&D) waste, and should never be placed in the C&D dumpsters located on NYULMC property.

- Any hazardous waste (not used oil) must be labeled as “Hazardous Waste”, and the components of the waste listed. The waste must be properly disposed of through a licensed hazardous waste hauler, approved by NYULMC, at an EPA-permitted facility. The contractor shall be listed as the waste generator. A copy of the hazardous waste manifest must be supplied to the NYULMC project manager.
- The contractor must remove all contract-related hazardous materials and petroleum products from the NYULMC project site at the conclusion of the project, unless specifically requested, in writing, to leave certain materials with the NYULMC project manager.

#### 4. EMERGENCY GENERATOR MAINTENANCE

The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following:

- The on-site personnel must be familiar with the NYULMC Spill Prevention, Control and Countermeasures (SPCC) Plan, and trained in procedures to follow in the event of an oil or fuel spill.
- All substance containers shall be labeled as to their contents, and kept closed;
- Safety Data Sheets for all chemical substances brought onto the premises shall be present at the location of work.
- All containers of used oil (hydraulic, motor, grease, etc.) must be clearly labeled with the words “Used Oil”.
- If 55-gallons or more of used oil is to be transported at any time, the transporter must have an EPA identification number.
- It is the contractor’s responsibility to remove oily rags used on the premises in a timely manner.
- Waste batteries generated during the servicing of generators shall be handled and disposed of by the contractor as Universal Waste, according to the requirements of the New York State Department of Environmental Conservation.
- The contractor is prohibited from using or storing chlorinated solvents on NYULMC property.
- The contractor is prohibited from introducing used oil, sludge, cleaning products, or anything other than new fuel into the generator for burning.
- The contractor may not store chemical or petroleum products on NYULMC property. Any materials required for use on site must be brought to the site for service and removed immediately following service work.

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## Sample Contract Language

### 5. BUILDING CLEANING

The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following:

- All substance containers shall be labeled as to their contents.
- Safety Data Sheets for all chemical substances used on the premises shall be present at the location of work.
- Hazardous materials or petroleum products stored in the vicinity of floor drains, or that could reasonably be expected to enter the sanitary or storm sewer if spilled, must have secondary containment.
- The contractor is prohibited from using or storing chlorinated solvents on NYULMC property.
- The contractor is responsible for the proper storage and handling of all substances whose disposal may be regulated by the EPA, including but not limited to:
  - paints, paint wastes, lacquers, solvent thinners
  - any hazardous substances such as adhesives, contact cements, roofing products, mineral spirits, solvents, cleaners, etc.
  - oily or solvent-contaminated rags
  - aerosol cans (spent or unspent)
  - fluorescent light tubes
  - broken fluorescent light tubes (must be handled and disposed of as hazardous waste)
  - light ballasts (collect PCB and non-PCB ballasts separately)
  - batteries (except alkaline)

Any of these materials encountered during the cleaning contractor's work shall be brought to the attention of Facilities Management, who will see to its proper disposal through EH&S. None of the above materials are to be disposed of as general building trash or Construction and Demolition (C&D) waste. Cleaning personnel assigned to NYULMC buildings shall attend special training provided by EH&S on the proper handling of the materials listed above.

### 6. WATER TREATMENT MAINTENANCE

The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following:

- All substance containers shall be labeled as to their contents.
- Safety Data Sheets for all chemical substances brought onto the premises shall be present at the location of work.
- Hazardous materials or petroleum products stored in the vicinity of floor drains, or that could reasonably be expected to enter the sanitary or storm sewer if spilled, must have secondary containment.
- The contractor must remove empty containers from the NYULMC property for proper disposal.

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**Sample Contract Language****7. RELAMPING**

The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following:

- All used fluorescent bulbs shall be collected and stored in rigid containers, with tight fitting lids, and labeled “Universal Waste – Used Fluorescent Light Lamps”, along with the date that the first tubes were placed in the container.
- All broken fluorescent light bulbs shall be handled, stored and disposed of as hazardous waste. Sealable containers shall be available on the project site for cleanup of any broken fluorescent tubes. All containers of broken tubes shall be labeled “Hazardous Waste – Broken Fluorescent Light Lamps”.
- If more than 500 pounds of fluorescent tubes are transported at any one time, the transporter must have a hazardous waste transporter permit.
- All ballasts shall be collected. PCB and non-PCB ballasts shall be collected separately. Light ballasts not clearly labeled as “non-PCB” containing must be assumed to have PCBs. PCB containing ballasts shall be labeled as “hazardous waste – PCB containing ballasts”, collected in sealable containers, and disposed of as hazardous waste.
- The ultimate destination facility for tubes and ballasts must meet the requirements of an EPA RCRA Treatment, Storage and Disposal Facility, and documentation of the facility provided to the NYULMC project manager.
- If a lamp-crusher is used on the NYULMC property, the bulbs must go to a mercury recycler, and documentation about the facility provided to the NYULMC project manager. Copies of waste manifests must be provided to NYULMC.

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## Universal and Hazardous Waste Compliance Plan

<b>Location:</b>	
<b>NYUMC Project Coordinator:</b>	<b>Project Start Date:</b>
<b>Contractor Performing Work:</b>	<b>Estimated Duration:</b>
<b>Supervisor's Name:</b>	<b>Telephone:</b>
<b>Brief description of the project:</b>	
<b>Who will maintain SDS file?</b> (Print name)	<b>Signature:</b> <b>Date:</b>
<b>Who will train construction workers on proper waste disposal?</b> (Print name)	<b>Signature:</b> <b>Date:</b>
<b>Who will coordinate, manage &amp; monitor waste storage &amp; disposal?</b> (Print name)	<b>Signature:</b> <b>Date:</b>
<b>What Medical Center EPA ID# will be used on Waste Manifests?</b>	
<b>Who will sign waste manifests and forward them to the DEC?</b> (Print name)	<b>Signature:</b> <b>Date:</b>
<b>Who will ensure EH&amp;S receives copies of all manifests?</b> (Print name)	<b>Signature:</b> <b>Date:</b>
<b>Who will maintain waste manifests?</b> (Print name)	<b>Signature:</b> <b>Date:</b>
<b>Compliance Plan prepared by:</b> (Print name)	<b>Signature:</b> <b>Date:</b>
<b>Plan Approved by (EH&amp;S):</b> (Print name)	<b>Signature:</b> <b>Date:</b>

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## Universal and Hazardous Waste Compliance Plan

Waste	Check if this waste will be generated	Disposal contractor	"Label" / Comments
Aerosol cans			Label: "Hazardous Waste – Aerosol Cans"
Asbestos			Coordinate with Environmental Health & Safety
Batteries (except alkaline)			Label: "Universal Waste – Used Batteries" Cover both terminals of each battery (tape or cover) and place each battery in a separate bag).
CFCs			Use vendor with Universal Certification for CFCs
Computer equipment			Label: "Recyclable Waste – Computer Equipment"
Degreasing solvents			Label: "Hazardous Waste – Used . . . (name)"
Electronic equipment			Determine if it is hazardous waste
Fluorescent light bulbs			If unbroken, label: "Universal Waste - Used Fluorescent Light Bulbs" If broken, label: "Hazardous Waste - Broken Fluorescent Light Bulbs"
Light ballasts			PCB ballasts – Label: "Hazardous Waste - PCB Ballasts" Non-PCB ballasts – Label: "non-PCB Ballasts"
Oil-based paint			Label: "Hazardous Waste – Oil-based Paint"
Rags used with solvents			Determine if they are hazardous waste
Paint thinners			Label: "Hazardous Waste – Used Paint Thinners"
Thermostats			Label: "Universal Waste – Thermostat Components"
Transformers, capacitors (unless labeled non-PCB)			Label: "Hazardous Waste – contains PCBs"
Used oil and rags used with oil			Label: "Used Oil" Use secondary containment for oil if floor

\* For Universal Wastes, date container with accumulation start date.  
Other wastes / requirements:

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## Document Information

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Hazardous Waste from Contractors (Construction and Building Maintenance)

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