

(6) A copy of all significant correspondence, reports, inspection reports, and any other communications from enforcement agencies.

(e) Methodology for evaluating the facility's performance should be developed. Evaluation procedures recommended by the U.S. Environmental Protection Agency should be used whenever possible (see bibliography).

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PART 243—GUIDELINES FOR THE STORAGE AND COLLECTION OF RESIDENTIAL, COMMERCIAL, AND INSTITUTIONAL SOLID WASTE

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APPENDIX TO PART 243—RECOMMENDED BIBLIOGRAPHY

AUTHORITY: 42 U.S.C. 6907(a)(3), 6912(a)(1), and 6944(a).

SOURCE: 41 FR 6769, Feb. 13, 1976, unless otherwise noted.

Subpart A—General Provisions

§ 243.100 Scope.

(a) These guidelines are promulgated in partial fulfillment of section 209(a) of the Solid Waste Disposal Act, as amended (Pub. L. 89-272).

(b) The guidelines apply to the collection of residential, commercial, and institutional solid wastes and street wastes. Explicitly excluded are mining, agricultural, and industrial solid wastes; hazardous wastes; sludges; construction and demolition wastes; and infectious wastes.

(c) The "Requirement" sections contained herein delineate minimum levels of performance required of solid waste collection operations. Under section 211 of the Solid Waste Disposal Act, as amended, and Executive Order 12088, the "Requirement" sections of these guidelines are mandatory for Federal agencies. In addition, they are recommended to State, interstate, regional, and local governments for use in their activities.

(d) The "Recommended procedures" sections are presented to suggest additional actions or preferred methods by

which the objectives of the requirements can be realized. The "Recommended procedures" are not mandatory for Federal agencies.

(e) The guidelines apply equally to Federal agencies generating solid waste whether the solid waste is actually collected by a Federally operated or non-Federally operated collection system, except in the case of isolated Federal facilities such as post offices, military recruiting stations, and other offices where local community solid waste collection systems are utilized, which are not within the managerial control of the Federal agency.

(f) The guidelines shall be implemented in those situations where the Federal agency is able to exercise direct managerial control over the collection system through operation of the system or by contracting for collection service. Where non-Federal collection systems are utilized, service contracts should require conformance with the guidelines requirements unless service meeting such requirements is not reasonably available. It is left to the head of the responsible agency to decide how the requirements of the guidelines will be met.

(g) The Environmental Protection Agency will give technical assistance and other guidance to Federal agencies when requested to do so under section 3(D)1 of Executive Order 12088.

(h) Within 1 year after the final promulgation of these guidelines, Federal agencies shall decide what actions shall be taken to adopt the requirements of these guidelines and shall, within 60 days of this decision, submit to the Administrator a schedule of such actions.

(i) Federal agencies that decide not to adopt the requirements contained herein, for whatever reason, shall make available to the Administrator a report of the analysis and rationale used in making that decision. The Administrator shall publish notice of availability of this report in the FEDERAL REGISTER. EPA considers the following reasons to be valid for purposes of non-compliance: costs so high as to render compliance economically impracticable, and the technical inhibitions to compliance specifically described in the guidelines.

(1) The following points are to be covered in the report.

(i) A description of the proposed or on-going practices which will not be in compliance with these guidelines. This statement should identify all agency facilities which will be affected by non-compliance including a brief description of how such facilities will be affected.

(ii) A description of the alternative actions considered with emphasis on those alternatives which, if taken, would be in compliance with these guidelines.

(iii) The rationale for the action chosen by the agency including technical data and policy considerations used in arriving at this decision.

In covering these points, agencies should make every effort to present the information succinctly in a form easily understood, but in sufficient detail so that the Administrator and the public may understand the factors influencing the decision not to adopt the requirements of these guidelines.

(2) The report shall be submitted to the Administrator as soon as possible after a final agency decision has been made not to adopt the requirements of these guidelines, but in no case later than 60 days after the final decision. The Administrator will indicate to the agency his concurrence/nonconcurrence with the agency's decision, including his reasons.

(3) Implementation of actions not in compliance with these guidelines shall be deferred, where feasible, in order to give the Administrator time to receive, analyze, and seek clarification of the required report.

(4) It is recommended that where the report on non-compliance concerns an action for which an Environmental Impact Statement (EIS) is required by the National Environmental Policy Act, that the report be circulated simultaneously with the EIS, since much of the information to satisfy the requirements of the report will be useful in the preparation of the EIS.

[41 FR 6769, Feb. 13, 1976, as amended at 64 FR 70606, Dec. 17, 1999]

§ 243.101 Definitions.

As used in these guidelines:

(a) *Alley collection* means the collection of solid waste from containers placed adjacent to or in an alley.

(b) *Agricultural solid waste* means the solid waste that is generated by the rearing of animals, and the producing and harvesting of crops or trees.

(c) *Bulky waste* means large items of solid waste such as household appliances, furniture, large auto parts, trees, branches, stumps, and other oversize wastes whose large size precludes or complicates their handling by normal solid wastes collection, processing, or disposal methods.

(d) *Carryout collection* means collection of solid waste from a storage area proximate to the dwelling unit(s) or establishment.

(e) *Collection* means the act of removing solid waste (or materials which have been separated for the purpose of recycling) from a central storage point.

(f) *Collection frequency* means the number of times collection is provided in a given period of time.

(g) *Commercial solid waste* means all types of solid wastes generated by stores, offices, restaurants, warehouses, and other non-manufacturing activities, excluding residential and industrial wastes.

(h) *Compactor collection vehicle* means a vehicle with an enclosed body containing mechanical devices that convey solid waste into the main compartment of the body and compress it into a smaller volume of greater density.

(i) *Construction and demolition waste* means the waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings, and other structures.

(j) *Curb collection* means collection of solid waste placed adjacent to a street.

(k) *Federal facility* means any building, installation, structure, land, or public work owned by or leased to the Federal Government. Ships at sea, aircraft in the air, land forces on maneuvers, and other mobile facilities are not considered "Federal facilities" for the purpose of these guidelines. United States Government installations located on foreign soil or on land outside the jurisdiction of the United States Government are not considered "Fed-

eral facilities" for the purpose of these guidelines.

(l) *Food waste* means the organic residues generated by the handling, storage, sale, preparation, cooking, and serving of foods, commonly called garbage.

(m) *Generation* means the act or process of producing solid waste.

(n) *Hazardous waste* means a waste or combination of wastes of a solid, liquid, contained gaseous, or semisolid form which may cause, or contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, its potential for accumulation or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other organisms.

(o) *Industrial solid waste* means the solid waste generated by industrial processes and manufacturing.

(p) *Infectious waste* means: (1) Equipment, instruments, utensils, and fomites of a disposable nature from the rooms of patients who are suspected to have or have been diagnosed as having a communicable disease and must, therefore, be isolated as required by public health agencies; (2) laboratory wastes, such as pathological specimens (e.g., all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals) and disposable fomites (any substance that may harbor or transmit pathogenic organisms) attendant thereto; (3) surgical operating room pathologic specimens and disposable fomites attendant thereto, and similar disposable materials from outpatient areas and emergency rooms.

(q) *Institutional solid waste* means solid wastes generated by educational, health care, correctional, and other institutional facilities.

(r) *Mining wastes* means residues which result from the extraction of raw materials from the earth.

(s) *Residential solid waste* means the wastes generated by the normal activities of households, including, but not limited to, food wastes, rubbish, ashes, and bulky wastes.

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(t) *Responsible agency* means the organizational element that has the legal duty to ensure compliance with these guidelines.

(u) *Rubbish* means a general term for solid waste, excluding food wastes and ashes, taken from residences, commercial establishments, and institutions.

(v) *Satellite vehicle* means a small collection vehicle that transfers its load into a larger vehicle operating in conjunction with it.

(w) *Scavenging* means the uncontrolled and unauthorized removal of materials at any point in the solid waste management system.

(x) *Sludge* means the accumulated semiliquid suspension of settled solids deposited from wastewaters or other fluids in tanks or basins. It does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved materials in irrigation return flows or other common water pollutants.

(y) *Solid waste* means garbage, refuse, sludges, and other discarded solid materials, including solid waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants. Unless specifically noted otherwise, the term "solid waste" as used in these guidelines shall not include mining, agricultural, and industrial solid wastes; hazardous wastes; sludges; construction and demolition wastes; and infectious wastes.

(z) *Stationary compactor* means a powered machine which is designed to compact solid waste or recyclable materials, and which remains stationary when in operation.

(aa) *Storage* means the interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal.

(bb) *Solid waste storage container* means a receptacle used for the temporary storage of solid waste while awaiting collection.

(cc) *Street wastes* means materials picked up by manual or mechanical sweepings of alleys, streets, and sidewalks; wastes from public waste receptacles; and material removed from catch basins.

(dd) *Transfer station* means a site at which solid wastes are concentrated for transport to a processing facility or land disposal site. A transfer station may be fixed or mobile.

(ee) *Vector* means a carrier that is capable of transmitting a pathogen from one organism to another.

Subpart B—Requirements and Recommended Procedures

§ 243.200 Storage.

§ 243.200-1 Requirement.

(a) All solid wastes (or materials which have been separated for the purpose of recycling) shall be stored in such a manner that they do not constitute a fire, health, or safety hazard or provide food or harborage for vectors, and shall be contained or bundled so as not to result in spillage. All solid waste containing food wastes shall be securely stored in covered or closed containers which are nonabsorbent, leakproof, durable, easily cleanable (if reusable), and designed for safe handling. Containers shall be of an adequate size and in sufficient numbers to contain all food wastes, rubbish, and ashes that a residence or other establishment generates in the period of time between collections. Containers shall be maintained in a clean condition so that they do not constitute a nuisance, and to retard the harborage, feeding, and breeding of vectors. When serviced, storage containers should be emptied completely of all solid waste.

(b) Storage of bulky wastes shall include, but is not limited to, removing all doors from large household appliances and covering the item(s) to reduce the problems of an attractive nuisance, and the accumulation of solid waste and water in and around the bulky items.

(c) Reusable waste containers which are emptied manually shall not exceed 75 pounds (34.05 kg) when filled, and

shall be capable of being serviced without the collector coming into physical contact with the solid waste.

(d) In the design of all buildings or other facilities which are constructed, modified, or leased after the effective date of these guidelines, there shall be provisions for storage in accordance with these guidelines which will accommodate the volume of solid waste anticipated, which may be easily cleaned and maintained, and which will allow for efficient, safe collection.

(e) Waste containers used for the storage of solid waste (or materials which have been separated for recycling) must meet the standards established by the American National Standards Institute (ANSI) for waste containers as follows: Waste Containers—Safety Requirements, 1994, American National Standards Institute, ANSI Z245.30-1994; and Waste Containers—Compatibility Dimensions, 1996, American National Standards Institute, ANSI Z245.60-1996.

(1) The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You may obtain a copy from American National Standards Institute, 11 W. 42nd Street, New York, NY 10036. You may inspect a copy at the Environmental Protection Agency's RCRA Information Center, 1235 Jefferson Davis Highway, Arlington, VA or at the Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, DC.

[41 FR 6769, Feb. 13, 1976, as amended at 64 FR 70606, Dec. 17, 1999]

§ 243.200-2 Recommended procedures: Design.

(a) Reusable waste containers should be constructed of corrosion resistant metal or other material which will not absorb water, grease, or oil. The containers should be leakproof, including sides, seams, and bottoms, and be durable enough to withstand anticipated usage without rusting, cracking, or deforming in a manner that would impair serviceability. The interior of the container should be smooth without interior projections or rough seams which would make it difficult to clean or interfere with its emptying. The exterior

of the container should be safe for handling with no cracks, holes, or jagged edges. Containers should be stored on a firm, level, well-drained surface which is large enough to accommodate all of the containers and which is maintained in a clean, spillage-free condition.

(1) Reusable waste containers which are emptied manually should have a capacity of no more than 35 gallons (132.51) in volume, unless they are mounted on casters and can be serviced by being rolled to the collection vehicle and tilted for emptying. The containers should be constructed with rounded edges and tapered sides with the larger diameter at the top of the container to facilitate discharge of the solid waste by gravity. Containers should have two handles or bails located directly opposite one another on the sides of the container. Containers should have covers which are tight-fitting to resist the intrusion of water and vectors, and should be equipped with a suitable handle. Containers should be designed so that they cannot be tipped over easily.

(2) Reusable waste containers which are emptied mechanically should be designed or equipped to prevent spillage or leakage during on-site storage, collection, or transport. The container should be easily cleanable and designed to allow easy access for depositing the waste and removing it by gravity or by mechanical means. The containers should be easily accessible to the collection vehicle in an area which can safely accommodate the dimensions and weight of the vehicle.

(b) Single-use plastic and paper bags should meet the National Sanitation Foundation Standard No. 31 for polyethylene refuse bags and Standard No. 32 for paper refuse bags, respectively. However, such bags do not need to have been certified by the National Sanitation Foundation. Single-use bags containing food wastes should be stored within the confines of a building or container between collection periods.

§ 243.201 Safety.

§ 243.201-1 Requirement.

Collection systems shall be operated in such a manner as to protect the

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health and safety of personnel associated with the operation.

§ 243.201-2 Recommended procedures: Operations.

(a) All solid waste collection personnel should receive instructions and training in safe container and waste handling techniques, and in the proper operation of collection equipment, such as those presented in *Operation Responsible: Safe Refuse Collection*.

(b) Personal protective equipment such as gloves, safety glasses, respirators, and footwear should be used by collection employees, as appropriate. This equipment should meet the applicable provisions of the Occupational Safety and Health Administration Standards for Subpart I—Personal Protective Equipment (29 CFR 1910.132 through 1910.137).

(c) Scavenging should be prohibited at all times to avoid injury and to prevent interference with collection operations.

(d) When conducting carryout collection, a leakproof and puncture-proof carrying container should be used to minimize the potential for physical contact between the collector and the solid waste or the liquids which may derive from it.

§ 243.202 Collection equipment.

§ 243.202-1 Requirement.

(a) All vehicles used for the collection and transportation of solid waste (or materials which have been separated for the purpose of recycling) which are considered to be operating in interstate or foreign commerce shall meet all applicable standards established by the Federal Government, including, but not limited to, Motor Carrier Safety Standards (49 CFR parts 390 through 396) and Noise Emission Standards for Motor Carriers Engaged in Interstate Commerce (40 CFR part 202). Federally owned collection vehicles shall be operated in compliance with Federal Motor Vehicle Safety Standards (49 CFR parts 500 through 580).

(b) All vehicles used for the collection and transportation of solid waste (or materials which have been separated for the purpose of recycling) shall be enclosed or adequate provisions

shall be made for suitable cover, so that while in transit there can be no spillage.

(c) The equipment used in the compaction, collection, and transportation of solid waste (or materials which have been separated for the purpose of recycling) shall be constructed, operated, and maintained in such a manner as to minimize health and safety hazards to solid waste management personnel and the public. This equipment shall be maintained in good condition and kept clean to prevent the propagation or attraction of vectors and the creation of nuisances.

(d) Collection equipment used for the collection, storage, and transportation of solid waste (or materials which have been separated for recycling) must meet the standards established by the American National Standards Institute as follows: Mobile Refuse Collection and Compaction Equipment—Safety Requirements, 1992, American National Standards Institute, ANSI Z245.1-1992; and Stationary Compactors—Safety Requirements, 1997, American National Standards Institute, ANSI Z245.2-1997.

(1) The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You may obtain a copy from American National Standards Institute, 11 W. 42nd Street, New York, NY 10036. You may inspect a copy at the Environmental Protection Agency's RCRA Information Center, 1235 Jefferson Davis Highway, Arlington, VA or at the Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, DC.

In the procurement of new collection equipment before the effective dates of ANSI Z245.1, equipment which meets the standards shall be obtained if available.

[41 FR 6769, Feb. 13, 1976, as amended at 64 FR 70606, Dec. 17, 1999]

§ 243.202-2 Recommended procedures: Design.

(a) Whenever possible, enclosed, metal, leak-resistant compactor vehicles should be used for the collection of solid wastes.

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(b) Safety devices, including, but not limited to, the following should be provided on all collection vehicles:

- (1) Exterior rear-view mirrors.
- (2) Back-up lights.
- (3) Four-way emergency flashers.
- (4) Easily accessible first aid equipment.
- (5) Easily accessible fire extinguisher.

(6) Audible reverse warning device.

(c) If crew members ride outside the cab of the collection vehicle for short trips the vehicle should be equipped with handholds and platforms big enough to safeguard against slipping.

(d) Vehicle size should take into consideration: Local weight and height limits for all roads over which the vehicle will travel; turning radius; and loading height in the unloading position to insure overhead clearance in transfer stations, service buildings, incinerators, or other facilities.

(e) Engines which conserve fuel and minimize pollution should be used in collection vehicles to reduce fuel consumption and air pollution.

§ 243.202-3 Recommended procedures: Operations.

(a) Collection vehicles should be maintained and serviced according to manufacturers' recommendations, and receive periodic vehicle safety checks, including, but not limited to, inspection of brakes, windshield wipers, tail-lights, backup lights, audible reverse warning devices, tires, and hydraulic systems. Any irregularities should be repaired before the vehicle is used. Vehicles should also be cleaned thoroughly at least once a week.

(b) Solid waste should not be allowed to remain in collection vehicles over 24 hours and should only be left in a vehicle overnight when this practice does not constitute a fire, health, or safety hazard.

§ 243.203 Collection frequency.

§ 243.203-1 Requirement.

Solid wastes (or materials which have been separated for the purpose of recycling) shall be collected with frequency sufficient to inhibit the propagation or attraction of vectors and the creation of nuisances. Solid wastes

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which contain food wastes shall be collected at a minimum of once during each week. Bulky wastes shall be collected at a minimum of once every 3 months.

§ 243.203-2 Recommended procedures: Operations.

(a) The minimum collection frequency consistent with public health and safety should be adopted to minimize collection costs and fuel consumption. In establishing collection frequencies, generation rates, waste composition, and storage capacity should be taken into consideration.

(b) When solid wastes are separated at the point of storage into various categories for the purpose of resource recovery, a collection frequency should be designated for each waste category.

§ 243.204 Collection management.

§ 243.204-1 Requirement.

The collection of solid wastes (or materials which have been separated for the purpose of recycling) shall be conducted in a safe, efficient manner, strictly obeying all applicable traffic and other laws. The collection vehicle operator shall be responsible for immediately cleaning up all spillage caused by his operations, for protecting private and public property from damage resulting from his operations, and for creating no undue disturbance of the peace and quiet in residential areas in and through which he operates.

§ 243.204-2 Recommended procedures: Operations.

(a) Records should be maintained detailing all costs (capital, operating, and maintenance) associated with the collection system. These records should be used for scheduling maintenance and replacement, for budgeting, and for system evaluation and comparison.

(b) The collection system should be reviewed on a regular schedule to assure that environmentally adequate, economical, and efficient service is maintained.

(c) Solid waste collection systems should be operated in a manner designed to minimize fuel consumption,

including, but not limited to, the following procedures.

(1) Collection vehicle routes should be designed to minimize driving distances and delays.

(2) Collection vehicles should receive regular tuneups, tires should be maintained at recommended pressures, and compaction equipment should be serviced regularly to achieve the most efficient compaction.

(3) Compactor trucks should be used to reduce the number of trips to the disposal site.

(4) When the distance or travel time from collection routes to disposal sites is great, transfer stations should be used when cost effective.

(5) Residential solid waste containers which are serviced manually should be placed at the curb or alley for collection.

(6) For commercial wastes which do not contain food wastes, storage capacity should be increased in lieu of more frequent collection.

APPENDIX TO PART 243—RECOMMENDED BIBLIOGRAPHY

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PART 246—SOURCE SEPARATION FOR MATERIALS RECOVERY GUIDELINES

Subpart A—General Provisions

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246.100 Scope.
246.101 Definitions.

Subpart B—Requirements and Recommended Procedures

- 246.200 High-grade paper recovery.
246.200-1 Requirements.
246.200-2 Recommended procedures: High-grade paper recovery from smaller offices.
246.200-3 Recommended procedures: Market study.
246.200-4 Recommended procedures: Levels of separation.
246.200-5 Recommended procedures: Methods of separation and collection.
246.200-6 Recommended procedures: Storage.
246.200-7 Recommended procedures: Transportation.
246.200-8 Recommended procedures: Cost analysis.
246.200-9 Recommended procedures: Contracts.