



**North Carolina Department of Environmental Quality
Division of Waste Management
Hazardous Waste Section**

Subpart K – Alternative Requirements for Academic Laboratories Guidance

This document is for guidance only and does not contain all of the North Carolina Hazardous Waste Management Rules. Many of the rules described are paraphrased. For the complete rules refer to 15A NCAC 13A for specific state requirements and federal rules incorporated by reference and N.C.G.S. 130A, Article 9 found at this website link: <https://deq.nc.gov/about/divisions/waste-management/hw/rules>

- Overview:
 - For LQGs and SQGs: Subpart K provides alternative requirements for the hazardous waste determination and satellite accumulation in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided the notification requirements of 40 CFR 262.203 are completed.
 - VSQG: Subpart K provides alternative requirements to the conditional exemption in 262.14 for the accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided the notification requirements of 40 CFR 262.203 are completed.

- Applicability (40 CFR 262.201): Subpart K only applies to the following:
 - Site must be an **Eligible Academic Entity**:
 - A college or university, or
 - A non-profit research institute that is owned by or has a formal written affiliation agreement with a college or university, or
 - A teaching hospital that is owned by or has a formal written affiliation agreement with a college or university.
 - Applicable areas at the site must meet the definition of a **Laboratory**:
 - Area owned by an eligible academic entity
 - Where relatively small quantities of chemicals and other substances are used
 - On a non-production basis for teaching or research (or diagnostic purposes at a teaching hospital) and
 - Are stored and used in containers that are easily manipulated by one person.
 - Examples of laboratories:
 - ~ Photo laboratories, art studios, and field laboratories are considered laboratories.
 - ~ Areas such as chemical stockrooms and preparatory laboratories that provide a support function to teaching or research laboratories (or diagnostic laboratories at teaching hospitals) are also considered laboratories.

- Other Applicability Considerations:
 - **Subpart K is optional** (40 CFR 262.202): Eligible academic entities have the option of complying this subpart with respect to its laboratories, as an alternative to complying with the requirements of 262.11 and 262.15 (for SQGs and LQGs) or 262.14 (for VSQGs).
 - **Unwanted material that is not a solid or hazardous waste** (40 CFR 262.215):
 - If an unwanted material does not meet the definition of solid waste in 40 CFR 261.2, it is no longer subject to Subpart K or to the RCRA hazardous waste regulations.
 - If an unwanted material does not meet the definition of hazardous waste in 40 CFR 261.3, it is no longer subject to this subpart or to the RCRA hazardous waste regulations, but must be managed in compliance with any other applicable regulations and/or conditions.
 - **Non-laboratory hazardous waste generated at an eligible academic entity** (40 CFR 262.216): An eligible academic entity that generates hazardous waste outside of a laboratory is not eligible to

- manage that hazardous waste under Subpart K; and
- Remains subject to the generator requirements of 40 CFR 262.11 and 262.15 for LQGs and SQGs (if the hazardous waste is managed in a satellite accumulation area), and all other applicable generator requirements of 40 CFR part 262, with respect to that hazardous waste; or
 - Remains subject to the conditional exemption of 40 CFR 262.14 for VSQGs, with respect to that hazardous waste.
- **Notification (40 CFR 262.203):** An eligible academic entity must notify the HWS that it is electing to be subject to the requirements of Subpart K for all the laboratories owned by the eligible academic entity under the same EPA ID number (i.e. for all areas that meet the definition of laboratory at the site).
- Notification (Site Identification Form) of this activity is made electronically using the RCRAInfo database, Industry User Application – myRCRAid.
 - An eligible academic entity must keep a copy of the notification on file at the eligible academic entity for as long as its laboratories are subject to Subpart K.
 - A teaching hospital that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the teaching hospital for as long as its laboratories are subject to Subpart K.
 - A non-profit research institute that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the non-profit research institute for as long as its laboratories are subject to Subpart K.
 - An eligible academic entity must submit a separate notification (Site Identification Form) for each EPA identification number (or site, for VSQGs) that is electing to be subject to the requirements of this subpart, and must submit the Site Identification Form before it begins operating under this subpart.
 - **Withdrawal from Subpart K (40 CFR 262.204):**
 - An eligible academic entity must notify electronically using the RCRAInfo database, Industry User Application – myRCRAid indicating that the site is electing to no longer be subject to the requirements of Subpart K for all the laboratories owned by the eligible academic entity under the same EPA identification number
 - ~ SQGs and LQGs that withdraw from Subpart K must comply with waste determination requirements of 40 CFR 262.11 and applicable satellite accumulation requirements of 262.15.
 - ~ VSQGs that withdraw from Subpart K must comply with 40 CFR 262.14.
 - An eligible academic entity must submit a separate notification (Site Identification Form) for each EPA identification number (or site, for VSQGs) that is withdrawing from the requirements of this subpart and must submit the Site Identification Form before it begins operating under the standards in 40 CFR 262.11 and 262.15 for small quantity generators and large quantity generators or 40 CFR 262.14 for very small quantity generators.
 - An eligible academic entity must keep a copy of the withdrawal notice on file at the eligible academic entity for three years from the date of the notification.
- **Labeling of Unwanted Material (40 CFR 262.206):** An eligible academic entity must label containers of unwanted material while in the laboratory. The following information must be affixed or attached to the container of unwanted material as follows:
- The words "Unwanted Material"
 - Or another equally effective term that is to be used consistently by the eligible academic entity and that is identified in Part I of the Laboratory Management Plan.
 - Sufficient information to alert emergency responders to the contents of the container. Examples of information that would be sufficient to alert emergency responders to the contents of the container include, but are not limited to:
 - The name of the chemical(s),

- The type or class of chemical, such as organic solvents or halogenated organic solvents.
- The following information may be affixed or attached to the container, but must at a minimum be associated with the container:
 - The date the unwanted material first began accumulating in the container, and
 - Information sufficient to allow a trained professional to properly identify whether an unwanted material is a solid and hazardous waste and to assign the proper hazardous waste code(s).
Examples of information that would allow a trained professional to properly identify whether an unwanted material is a solid or hazardous waste include, but are not limited to:
 - ~ The name and/or description of the chemical contents or composition of the unwanted material, or, if known, the product of the chemical reaction,
 - ~ Whether the unwanted material has been used or is unused,
 - ~ A description of the manner in which the chemical was produced or processed, if applicable.

- **Management of Containers of Unwanted Material in the Laboratory** (40 CFR 262.206): An eligible academic entity must properly manage containers of unwanted material in the laboratory to assure safe storage of the unwanted material, to prevent leaks, spills, emissions to the air, adverse chemical reactions, and dangerous situations that may result in harm to human health or the environment. Proper container management must include the following:
 - Containers are maintained and kept in good condition and damaged containers are replaced, overpacked, or repaired, and
 - Containers are compatible with their contents to avoid reactions between the contents and the container; and are made of, or lined with, material that is compatible with the unwanted material so that the container's integrity is not impaired, and
 - Containers must be kept closed at all times, except:
 - When adding, removing or bulking unwanted material, or
 - A working container may be open until the end of the procedure or work shift, or until it is full, whichever comes first, at which time the working container must either be closed or the contents emptied into a separate container that is then closed, or
 - When venting of a container is necessary:
 - ~ For the proper operation of laboratory equipment, such as with in-line collection of unwanted materials from high performance liquid chromatographs, or
 - ~ To prevent dangerous situations, such as build-up of extreme pressure.

- **Subpart K Training** (40 CFR 262.207): An eligible academic entity must provide training to all individuals working in a laboratory at the eligible academic entity, as follows:
 - Training for laboratory workers and students must be commensurate with their duties so they understand the requirements of Subpart K and can implement them.
 - An eligible academic entity can provide training for laboratory workers and students in a variety of ways, including, but not limited to:
 - Instruction by the professor or laboratory manager before or during an experiment; or
 - Formal classroom training; or
 - Electronic/written training; or
 - On-the-job training; or
 - Written or oral exams.
 - An eligible academic entity that is a LQG must maintain documentation for the durations specified in 40 CFR 262.17(a)(7) demonstrating training for all laboratory workers that is sufficient to determine whether laboratory workers have been trained. Examples of documentation demonstrating training can include, but are not limited to, the following:
 - Sign-in/attendance sheet(s) for training session(s); or
 - Syllabus for training session; or
 - Certificate of training completion; or
 - Test results.

- A trained professional must:
 - Accompany the transfer of unwanted material and hazardous waste when the unwanted material and hazardous waste is removed from the laboratory, or
 - Make the hazardous waste determination, pursuant to 40 CFR 262.11(a) through (d), for unwanted material.

- **Removing containers of unwanted material from the laboratory (40 CFR 262.208):**
 - The eligible academic entity has two options when removing containers of unwanted material on a regular schedule. An eligible academic entity must either:
 - Remove all containers of unwanted material from each laboratory on a regular interval, not to exceed 12 months; or
 - Remove containers of unwanted material from each laboratory within 12 months of each container's accumulation start date.
 - The eligible academic entity must specify in Part I of its Laboratory Management Plan which option (above) it will use for the removal schedule of unwanted material from its laboratories.
 - The eligible academic entity must specify in Part II of its Laboratory Management Plan how it will comply with the removal schedule option (above) and develop a schedule for regular removals of unwanted material from its laboratories.
 - Removing containers of unwanted material when volumes are exceeded.
 - If a laboratory accumulates a total volume of unwanted material (including reactive acutely hazardous unwanted material) in excess of 55 gallons before the regularly scheduled removal, the eligible academic entity must ensure that all containers of unwanted material in the laboratory (including reactive acutely hazardous unwanted material):
 - ~ Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 55 gallons is exceeded; and
 - ~ Are removed from the laboratory within 10 calendar days of the date that 55 gallons was exceeded, or at the next regularly scheduled removal, whichever comes first.
 - If a laboratory accumulates more than 1 quart of liquid reactive acutely hazardous unwanted material or more than 1 kg (2.2 pounds) of solid reactive acutely hazardous unwanted material before the regularly scheduled removal, then the eligible academic entity must ensure that all containers of reactive acutely hazardous unwanted material:
 - Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 1 quart or 1 kg is exceeded; and
 - Are removed from the laboratory within 10 calendar days of the date that 1 quart or 1 kg was exceeded, or at the next regularly scheduled removal, whichever comes first.

- **Where and when to make the hazardous waste determination and where to send containers of unwanted material upon removal from the laboratory (40 CFR 262.209):**
 - SQGs and LQGs that are an eligible academic entity must ensure that a trained professional makes a hazardous waste determination for unwanted material in any of the following areas:
 - In the laboratory before the unwanted material is removed from the laboratory, in accordance with 40 CFR 262.210;
 - Within 4 calendar days of arriving at an on-site central accumulation area, in accordance with 40 CFR 262.211; and
 - Within 4 calendar days of arriving at an on-site interim status or permitted TSDF, in accordance with 40 CFR 262.212.
 - VSQGs that are eligible academic entity must ensure that a trained professional makes a hazardous waste determination for unwanted material in the laboratory before the unwanted material is removed from the laboratory, in accordance with 40 CFR 262.210.

- **Where to make the hazardous waste determination and where to send containers of unwanted material upon removal:** Depending on the hazardous waste generation category, the eligible academic entity may make the waste determination at one of three locations.
 - **Making the hazardous waste determination in the laboratory before the unwanted material is removed from the laboratory** (40 CFR 262.210): An eligible academic entity (VSQG, SQG, or LQG) that makes the hazardous waste determination for unwanted material in the laboratory, must comply with the following:
 - A trained professional must make the hazardous waste determination, pursuant to 40 CFR 262.11(a) through (d), before the unwanted material is removed from the laboratory.
 - If an unwanted material is a hazardous waste, the eligible academic entity must:
 - ~ Write the words "Hazardous Waste" on the container label that is affixed or attached to the container, before the hazardous waste may be removed from the laboratory; and
 - ~ Write the appropriate hazardous waste code(s) on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste is transported off-site.
 - ~ Count the hazardous waste toward the eligible academic entity's generator category, pursuant to 40 CFR 262.13, in the calendar month that the hazardous waste determination was made.
 - A trained professional must accompany all hazardous waste that is transferred from the laboratory(ies) to an on-site central accumulation area or on-site interim status or permitted treatment, storage or disposal facility.
 - When hazardous waste is removed from the laboratory:
 - ~ SQGs and LQGs must ensure it is taken directly from the laboratory(ies) to an on-site central accumulation area, or on-site interim status or permitted TSDF, or transported off-site.
 - ~ VSQGs must ensure it is taken directly from the laboratory(ies) to any of the types of facilities listed in 40 CFR 262.14.
 - An unwanted material that is a hazardous waste is subject to all applicable hazardous waste regulations when it is removed from the laboratory.
 - **Making the waste determination at an on-site central accumulation area** (40 CFR 262.211): An eligible academic entity (SQG and LQG only) that makes the hazardous waste determination for unwanted material at an on-site central accumulation area, must comply with the following:
 - A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site central accumulation area.
 - All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site central accumulation area.
 - The unwanted material becomes subject to the generator accumulation regulations of 40 CFR 262.16 for SQGs or 40 CFR 262.17 for LQGs as soon as it arrives in the central accumulation area, except for the "Hazardous Waste" labeling conditions of 40 CFR 262.16(b)(6) [for SQGs] and 40 CFR 262.17(a)(5) [for LQGs].
 - A trained professional must determine, pursuant to 40 CFR 262.11(a) through (d), if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at the on-site central accumulation area.
 - If the unwanted material is a hazardous waste, the eligible academic entity must:
 - ~ Write the words "hazardous waste" on the container label that is affixed or attached to the container, within 4 calendar days of arriving at the on-site central accumulation area and before the hazardous waste may be removed from the on-site central accumulation area, and
 - ~ Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred)

before the hazardous waste may be treated or disposed of on-site or transported off-site, and

- ~ Count the hazardous waste toward the eligible academic entity's generator category, pursuant to 40 CFR 262.13 in the calendar month that the hazardous waste determination was made, and
 - ~ Manage the hazardous waste according to all applicable hazardous waste regulations.
- **Making the waste determination at an on-site interim status or permitted TSDF (40 CFR 262.212):** If an eligible academic entity (SQG and LQG only) makes the hazardous waste determination, for unwanted material at an on-site interim status or permitted TSDF, it must comply with the following:
 - A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site interim status or permitted TSDF.
 - All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site interim status or permitted TSDF.
 - The unwanted material becomes subject to the terms of the eligible academic entity's hazardous waste permit or interim status as soon as it arrives in the on-site TSDF.
 - A trained professional must determine, pursuant to 40 CFR 262.11(a) through (d), if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at an on-site interim status or permitted TSDF.
 - If the unwanted material is a hazardous waste, the eligible academic entity must:
 - ~ Write the words "Hazardous Waste" on the container label that is affixed or attached to the container within 4 calendar days of arriving at the on-site interim status or permitted TSDF and before the hazardous waste may be removed from the on-site interim status or permitted TSDF, and
 - ~ Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste may be treated or disposed on-site or transported off-site, and
 - ~ Count the hazardous waste toward the eligible academic entity's generator status, pursuant to 40 CFR 262.13(c) and (d) in the calendar month that the hazardous waste determination was made, and
 - ~ Manage the hazardous waste according to all applicable hazardous waste regulations.

➤ **Laboratory Clean-outs (40 CFR 262.213):**

- One time per 12-month period, for each laboratory, an eligible academic entity may opt to conduct a laboratory clean-out that is subject to all the applicable requirements of Subpart K, except that:
 - If the volume of unwanted material in the laboratory exceeds 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material or 1 kg of solid reactive acutely hazardous unwanted material), the eligible academic entity is not required to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of liquid reactive acutely hazardous unwanted material or 1 kg or solid reactive acutely hazardous unwanted material), as required by 40 CFR 262.208. Instead, the eligible academic entity must remove all unwanted materials from the laboratory within 30 calendar days from the start of the laboratory clean-out; and
 - For the purposes of on-site accumulation, an eligible academic entity is not required to count a hazardous waste that is an unused commercial chemical product (listed in 40 CFR part 261, subpart D or exhibiting one or more characteristics in 40 CFR part 261, subpart C) generated solely during the laboratory clean-out toward its hazardous waste generator category, pursuant to 40 CFR 262.13. An unwanted material that is generated prior to the beginning of the laboratory clean-out and is still in the laboratory at the time the laboratory clean-out commences must be counted toward hazardous waste generator category, pursuant to 40 CFR 262.13, if it is determined to be hazardous waste; and

- For the purposes of off-site management, an eligible academic entity must count all its hazardous waste, regardless of whether the hazardous waste was counted toward generator category, and if it generates more than 1 kg/month of acute hazardous waste or more than 100 kg/month of non-acute hazardous waste (*i.e.*, the VSQG limits as defined in 40 CFR 260.10), the hazardous waste is subject to all applicable hazardous waste regulations when it is transported off site; and
- An eligible academic entity must document the activities of the laboratory clean-out. The documentation must, at a minimum identify:
 - ~ The laboratory being cleaned out,
 - ~ The date the laboratory clean-out begins and ends, and
 - ~ The volume of hazardous waste generated during the laboratory clean-out.
- The eligible academic entity must maintain the records for a period of three years from the date the clean-out ends; and
- For all other laboratory clean-outs conducted during the same 12-month period, an eligible academic entity is subject to all the applicable requirements of this subpart, including, but not limited to:
 - The requirement to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), as required by 40 CFR 262.208; and
 - The requirement to count all hazardous waste, including unused hazardous waste, generated during the laboratory clean-out toward its hazardous waste generator category, pursuant to 40 CFR 262.13.

➤ **Laboratory Management Plan** (40 CFR262.214): An eligible academic entity must develop and retain a written Laboratory Management Plan (LMP), or revise an existing written plan.

- The LMP is a site-specific document that describes how the eligible academic entity will manage unwanted materials in compliance with this subpart.
 - An eligible academic entity may write one LMP for all the laboratories owned by the eligible academic entity that have opted into this subpart, even if the laboratories are located at sites with different EPA Identification Numbers.
 - The LMP must contain two parts (Part I and II) with a total of nine elements.
 - An eligible academic entity must make its LMP available to laboratory workers, students, or any others at the eligible academic entity who request it.
 - An eligible academic entity must review and revise its LMP, as needed.
- In **Part I** of its LMP, an eligible academic entity must:
 - Describe procedures for container labeling in accordance with 40 CFR 262.206(a), as follows:
 - ~ Identifying whether the eligible academic entity will use the term "unwanted material" on the containers in the laboratory. If not, identify an equally effective term that will be used in lieu of "unwanted material" and consistently by the eligible academic entity. The equally effective term, if used, has the same meaning and is subject to the same requirements as "unwanted material."
 - ~ Identifying the manner in which information that is "associated with the container" will be imparted.
 - Identify whether the eligible academic entity will comply with 40 CFR 262.208(a)(1) or (a)(2) for regularly scheduled removals of unwanted material from the laboratory.
 - The eligible academic entity must implement and comply with the specific provisions of Part I of its Laboratory Management Plan.
- In **Part II** of its LMP, an eligible academic entity must describe its best management practices for each of the elements listed below. The specific actions taken by an eligible academic entity to implement each element in Part II of its LMP may vary from the procedures described in the eligible

academic entity's LMP, without constituting a violation of Subpart K. An eligible academic entity may include additional elements and best management practices in Part II of its LMP if it chooses.

- Describe its intended best practices for container labeling and management (see the required standards at 40 CFR 262.206).
- Describe its intended best practices for providing training for laboratory workers and students commensurate with their duties (see the required standards at 40 CFR 262.207(a)).
- Describe its intended best practices for providing training to ensure safe on-site transfers of unwanted material and hazardous waste by trained professionals (see the required standards at 40 CFR 262.207(d)(1)).
- Describe its intended best practices for removing unwanted material from the laboratory, including:
 - ~ For regularly scheduled removals— Develop a regular schedule for identifying and removing unwanted materials from its laboratories (see the required standards at 40 CFR 262.208(a)(1) and (a)(2)).
 - ~ For removals when maximum volumes are exceeded:
 - Describe its intended best practices for removing unwanted materials from the laboratory within 10 calendar days when unwanted materials have exceeded their maximum volumes (see the required standards at 40 CFR 262.208(d)).
 - Describe its intended best practices for communicating that unwanted materials have exceeded their maximum volumes.
- Describe its intended best practices for making hazardous waste determinations, including specifying the duties of the individuals involved in the process (see the required standards at 40 CFR 262.11(a) through (d) and 40 CFR 262.209 through 262.212).
- Describe its intended best practices for laboratory clean-outs, if the eligible academic entity plans to use the incentives for laboratory clean-outs provided in 40 CFR 262.213, including:
 - ~ Procedures for conducting laboratory clean-outs (see the required standards at 40 CFR 262.213(a)(1) through (3)); and
 - ~ Procedures for documenting laboratory clean-outs (see the required standards at 40 CFR 262.213(a)(4)).
- Describe its intended best practices for emergency prevention, including:
 - ~ Procedures for emergency prevention, notification, and response, appropriate to the hazards in the laboratory; and
 - ~ A list of chemicals that the eligible academic entity has, or is likely to have, that become more dangerous when they exceed their expiration date and/or as they degrade; and
 - ~ Procedures to safely dispose of chemicals that become more dangerous when they exceed their expiration date and/or as they degrade; and
 - ~ Procedures for the timely characterization of unknown chemicals.

Definitions for Subpart K (40 CFR 262.200)

College/University means a private or public, post-secondary, degree-granting, academic institution, that is accredited by an accrediting agency listed annually by the U.S. Department of Education.

Eligible academic entity means a college or university, or a non-profit research institute that is owned by or has a formal written affiliation agreement with a college or university, or a teaching hospital that is owned by or has a formal written affiliation agreement with a college or university.

Formal written affiliation agreement for a non-profit research institute means a written document that establishes a relationship between institutions for the purposes of research and/or education and is signed by authorized representatives, as defined by 40 CFR 260.10, from each institution. A relationship on a project-by-project or grant-by-grant basis is not considered a formal written affiliation agreement. A *formal written affiliation agreement* for a teaching hospital means a master affiliation agreement and program letter of agreement, as defined by the Accreditation Council for Graduate Medical Education, with an accredited medical program or medical school.

Laboratory means an area owned by an eligible academic entity where relatively small quantities of chemicals and other substances are used on a non-production basis for teaching or research (or diagnostic purposes at a teaching hospital) and are stored and used in containers that are easily manipulated by one person. Photo laboratories, art studios, and field laboratories are considered laboratories. Areas such as chemical stockrooms and preparatory laboratories that provide a support function to teaching or research laboratories (or diagnostic laboratories at teaching hospitals) are also considered laboratories.

Laboratory clean-out means an evaluation of the inventory of chemicals and other materials in a laboratory that are no longer needed or that have expired and the subsequent removal of those chemicals or other unwanted materials from the laboratory. A clean-out may occur for several reasons. It may be on a routine basis (e.g., at the end of a semester or academic year) or as a result of a renovation, relocation, or change in laboratory supervisor/ occupant. A regularly scheduled removal of unwanted material as required by 40 CFR 262.208 does not qualify as a laboratory clean-out.

Laboratory worker means a person who handles chemicals and/or unwanted material in a laboratory and may include, but is not limited to, faculty, staff, post-doctoral fellows, interns, researchers, technicians, supervisors/managers, and principal investigators. A person does not need to be paid or otherwise compensated for his/her work in the laboratory to be considered a laboratory worker. Undergraduate and graduate students in a supervised classroom setting are not laboratory workers.

Non-profit research institute means an organization that conducts research as its primary function and files as a non-profit organization under the tax code of 26 U.S.C. 501(c)(3).

Reactive acutely hazardous unwanted material means an unwanted material that is one of the acutely hazardous commercial chemical products listed in 40 CFR 261.33(e) for reactivity.

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

Trained professional means a person who has completed the applicable RCRA training requirements of 40 CFR 262.17 for large quantity generators, or is knowledgeable about normal operations and emergencies in accordance with 40 CFR 262.16 for small quantity generators and very small quantity generators. A trained professional may be an employee of the eligible academic entity or may be a contractor or vendor who meets the requisite training requirements.

Unwanted material means any chemical, mixtures of chemicals, products of experiments or other material from a laboratory that is no longer needed, wanted or usable in the laboratory and that is destined for hazardous waste determination by a trained professional. Unwanted materials include reactive acutely hazardous unwanted materials and materials that may eventually be determined not to be solid waste pursuant to 40 CFR 261.2, or a hazardous waste pursuant to 40 CFR 261.3. If an eligible academic entity elects to use another equally effective term in lieu of "unwanted material," as allowed by 40 CFR 262.206(a)(1)(i), the equally effective term has the same meaning and is subject to the same requirements as "unwanted material" under this subpart.

Working container means a small container (*i.e.*, two gallons or less) that is in use at a laboratory bench, hood, or other work station, to collect unwanted material from a laboratory experiment or procedure.