

# MESSAGE FOR BUILDING OWNERS AND MANAGERS

We encourage building owners and managers to review the "[Message for All.doc.](#)"

## OVERVIEW

Building owners and managers have a responsibility to manage the mercury-containing lighting that is used in most commercial properties. Whether you own the building or manage it for someone else, there is liability associated with improper lamp disposal. Fortunately, a recycling program is easy to set up to eliminate that liability.

## WHAT CAN BUILDING OWNERS/MANAGERS DO?

The first step is to educate your employees. It is important that someone in each building understand what he or she can and cannot do with spent lamps. Who makes "disposal decisions" for lighting in your building? Each building may be different. In some instances, the owner may directly control disposal decisions. In others, owners may delegate this authority to employees, contractors or service companies. Larger buildings may use energy management companies, electrical service contractors, lighting retrofit companies and even janitorial services to remove old lamps and install new ones. This is why it is important to get the relevant information to the "decision-maker."

## FEDERAL AND STATE RULES

Disposal of mercury-containing lamps by businesses is regulated under the Universal Waste Rule (UWR) and full Subtitle C hazardous waste regulations. Most businesses can not dispose of hazardous mercury-containing lamps in municipal solid waste landfills (some exemptions apply) but the UWR allows for streamlined handling that makes it easier to get lamps to appropriate recycling facilities. The federal UWR imposes minimal requirements (no permitting is needed and no special tracking or reporting is required) when owners send lamps to recyclers. Any lamp recycler can assist in setting up a program. For a list of recyclers see [www.lamprecycle.org](http://www.lamprecycle.org).

Ultimately, regulatory compliance remains the responsibility of the owner of the lamps. A building owner becomes a "generator" when lamps are spent and become hazardous waste. Building owners/managers can choose to handle lamps as universal waste rather than under the more burdensome full Subtitle C hazardous waste regulations. Under the UWR, generators of universal waste are considered "handlers." While there are exemptions in the federal rules for small generators, many states have more stringent rules. To review the State-by-State Stringency Comparison Table, see "[Message re- State Stringency.doc.](#)"

In some states all mercury-containing lamps must be recycled. In other states, building owners may be exempt due to the volume of waste generated. Building owners with multiple tenants should be aware that although individual tenants may be exempt from regulations due to generating very small volumes of waste (i.e., Conditionally Exempt Small Quantity Generators), the total volume of wastes for the building as a whole may exceed exemption levels. While tenants may be exempt, the building owner is ultimately

responsible for disposing of the waste in an environmentally safe manner that complies with legal requirements.

Building owners and managers are encouraged to provide recycling options for occupants/tenants. Relationships with building maintenance, lighting, energy, and other contractors who service buildings should be developed. In doing so, the contractor is made aware that the lamps from the building need to be separated from the rest of the solid waste and taken or shipped to commercial lamp recyclers throughout the country.

## **INCENTIVES**

Building owners are encouraged to contact local public utilities and state/municipal tax authorities regarding rebates or tax credits for energy-efficiency upgrades to buildings. When retrofitting with efficient mercury-containing lighting, some of the cost savings and credits may be used to offset recycling costs.

## **HOW DO BUILDING OWNERS/MANAGER RECYCLE?**

Recycling services are provided by Association of Lighting and Mercury Recyclers (ALMR) member companies anywhere in the United States and its territories, Mexico and Canada. Services are available to large lamp users, small businesses, contractors, and municipal government agencies. They are also available to households and the public through household waste collection programs. Either directly or through a network of transportation contractors, spent lamps can be picked up in any U.S. community. There are also a number of lighting, maintenance and other building contractors who will collect spent lamps and get them recycled for their customers.

Lamp collection programs can be designed for all building owners/managers:

- If your building generates only small amounts of waste lamps, recycling can be facilitated through a “box program.” In this type of program, a container is provided to the owner/manager who fills it with spent mercury lamps. When the container is full, it can be sent to any recycler via a prepaid ground mail shipment program. Labels and shipping papers are provided.
- If your building generates large amounts of waste lamps, recyclers can arrange milk-run pick-ups. Common carriers will transport lamps to accumulation facilities for consolidation prior to shipment to destination facilities.
- If your building generates very large amounts of waste lamps, these lamps can be picked up in trailer loads as needed.
- There are numerous collection locations around the country that ship large quantities of lamps to recycling “destination facilities” (state authorized recyclers) every day.
- Recyclers typically provide customers with collection/shipping services and containers for lamps. They will also arrange all aspects of getting lamps recycled for anyone who is interested.
- Individuals and those that generate very small amounts of waste lamps can take the lamps to any locally operated household waste facility in their community. For a list of community programs see [www.earth911.org](http://www.earth911.org).

We encourage you to set up recycling programs for the spent mercury-containing lamps in your own facilities.

## **RECYCLER SELECTION CRITERIA**

It is incumbent upon you to select a recycling contractor that will best serve your needs while at the same time give you the assurance that your waste lamps are properly managed to minimize your liabilities. To assist, we have provided some general criteria for selecting your recycler:

- **Pricing-** Pricing represents the recyclers' ability to service you and your customers and meet your needs, while at the same time being price competitive. While pricing is key, as with many things, you usually get what you pay for. It is suggested that you question pricing and get more than one quote for your needs.
- **Service-** Important items include responsiveness, timeliness, program flexibility and customization, the personnel you will be working with, whether there will be intermediates, the capabilities of the firm and the equipment they will be using.
- **Risk management-** Recyclers, as Destination Facilities, are obligated to reduce or eliminate pollution risks for their clients. In order to remove the mercury characteristic from the waste, recyclers must comply with numerous federal and state regulations. Important factors for evaluating recyclers include 1) whether they meet insurance requirements for general and pollution liability, 2) the financial health of the company, 3) what indemnities or other assurances they offer clients, 4) their environmental record and compliance history, 5) the existence of government permits and approvals for facility operation or transportation, 6) operations and safety procedures and records, 7) vapor control technology and monitoring records, 8) hygiene and medical surveillance information, 9) the status of a facility closure plan, 10) facility audit reports, and 11) the availability of key regulatory contacts.

These items may seem extensive and your evaluation may seem daunting, but you are entrusting your hazardous waste to a third party and you need assurances. You are encouraged to ask potential recycling contractors about any of these items. It is perfectly acceptable to ask for references or to check with the state agency that regulates recycling facilities for compliance histories.

**“Lamp Recycling. The Responsible Thing To Do.”©**

For more information visit

[www.lamprecycle.org](http://www.lamprecycle.org)

or

[www.almr.org](http://www.almr.org)