

APPLICATION

NYU Langone Health

PURPOSE

To protect human health and the environment through the proper management and disposal of hazardous waste, universal waste, and used oil from construction and building maintenance.

To comply with all applicable federal, state, and local laws and regulations

POLICY AND GENERAL INFORMATION

1.0 Application

NYU Langone Health (NYULH) refers to the NYU Langone Health System, NYU Langone Hospitals, NYU Grossman School of Medicine, NYU Long Island School of Medicine, the Family Health Centers at NYU Langone, and all entities controlled by any of them.

This policy applies to:

- All NYULH owned and leased facilities.
- All employees, contractors, and consultants of NYULH.

2.0 Policy

NYULH shall ensure that hazardous waste, universal waste, and used oil from construction, renovation, and building maintenance is managed in accordance with all applicable federal, state, and local laws and regulations.

3.0 Responsibilities

3.1 **NYU Winthrop Hospital (NYUWH) Engineering** is responsible for hazardous waste from construction, renovation, and building maintenance contractors at NYUWH main campus and RAC. **Environmental Health & Safety (EH&S)** is responsible for other locations. Their responsibilities include:

- Informing contractors and staff of the applicable requirements from this policy during pre-construction kick-off meetings.
- Conducting random quality assurance (QA) inspections of construction and renovation projects to verify compliance with this Policy.

EH&S is also responsible for:

- Developing and updating this policy
- Disseminating information about pertinent laws and regulations.
- Including applicable requirements from this policy in ILS permits.
- Assisting departments in implementing the policy, including providing guidance and recommending language for construction, renovation, and building maintenance contracts (see Appendix A).
- Periodically reviewing and updating the Policy as needed.

EH&S and **NYUWH Hospitality Services** are responsible for:

- Maintaining manifests.

3.2 **Facilities** (Facilities Management, Facilities Operations, Engineering), **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 all construction, renovation, and building maintenance projects.

3.3 **Managers, Project Managers** (e.g., design, construction, renovation, operations, maintenance, and cable management) and **Forepersons and Tenant Coordinators**, are responsible for implementing and maintaining the policy on their projects. Their responsibilities include, but are not limited to:

- Managing their 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.
- Ensuring their staff and contractors contact NYUWH Housekeeping or NYULH EH&S group for the removal and disposal of hazardous waste, universal waste and used oil.
- During daily inspections of their construction/renovation project sites, verifying 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 staff and 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.
- Working with contractors to correct problems found on their projects.

4.0 **Hazardous waste streams**

4.1 **Hazardous waste**

- Examples
 - flammable products including adhesives, caulks, machinery lubricants, paint, resins, roofing cement, sealers, solvent, thinners, and varnish
 - 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 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, lead shielding, or other lead containing material
 - other paint with hazardous components or heavy metals
- All hazardous waste must be labeled as “Hazardous Waste”, with a description of the waste (e.g., used paint thinner) and appropriate hazard warnings (e.g., flammable or toxic) on the label.
- All hazardous waste must be kept in closed containers.
- All hazardous waste must be transported by a waste hauler permitted as per New York State (NYS) Department of Environmental Conservation (DEC) Part 364, to a disposal facility permitted by the U.S. Environmental Protection Agency (EPA). Waste haulers and disposal facilities must be pre-approved by NYUWH Housekeeping or EH&S.

4.2 **Universal wastes** are hazardous wastes that are less stringently regulated when they are recycled.

- Examples
 - batteries (except alkaline)

- unbroken fluorescent light lamps
- unbroken mercury containing equipment
- pesticides
- All universal waste must be labeled “Universal Waste”, with a description of the waste (e.g., used lead acid batteries or used fluorescent lamps) and collection start date on the label.
- All universal waste must be kept in closed containers.
- All universal waste must be removed within one year of the date on the label.
- All universal waste must be transported by a waste hauler permitted as per New York State (NYS) Department of Environmental Conservation (DEC) Part 364, to a disposal facility permitted by the U.S. Environmental Protection Agency (EPA). Waste haulers and disposal facilities must be pre-approved by NYUWH Housekeeping or EH&S.
- *Note: If they are not recycled, universal wastes must be managed as hazardous waste. See Safety Policy 108c: Universal Waste.*

4.3 Used oil

- Examples
 - clean-up materials, such as rags, contaminated with used oil
 - grease
 - hydraulic fluid
 - motor oil
- All used oil shall be labeled “Used Oil”, not “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 pre-approved by NYUWH Hospitality Services or EH&S.

5.0 Procedures

- 5.1 Prior to the start of each construction, renovation, and building maintenance project, NYULH’s Manager, Project Manager, Foreperson or Tenant Coordinator shall do the following:
 - Ensure appropriate language (see Appendix A) is included in the contract(s)

- Verify implementation of applicable compliance measures (e.g. use of appropriate containers and proper labeling)
 - If waste will be removed by contractors other than NYULH’s approved hazardous waste contractors:
 - obtain the names of and EPA ID numbers for all facilities to which hazardous waste and used oil will be sent, and forward this information to NYUWH Hospitality Services or EH&S for approval
 - obtain the names of all destination facilities to which universal waste will be sent, and forward this information to NYUWH Hospitality Services or EH&S for approval
- 5.2 During a construction or renovation project, NYULH’s Project Manager shall inspect the project site daily to verify that hazardous waste, universal waste, and used oil are being properly managed.
- 5.3 During a construction, renovation, or building maintenance project, NYULH’s Manager, Project Manager, Foreperson or Tenant Coordinator shall do the following:
- ensure that NYUWH Hospitality Services or EH&S receives copies of all manifests for hazardous waste and universal waste within 24 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

108: Chemical Waste Minimization and Disposal Program

108c: Universal Waste

144: Lead Management Program

Appendix A	Sample Contract Language
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Issue date	2/2020
Replaces	8/2017
Reviewed by	P. Aguilar, Building Services M. Ciferri, NYULH-B Facilities E. Cintron, Real Estate R. Cohen, Facilities N. Ejaz, NYULH-B Safety Officer

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Summary of Revisions

Revision date	Section	Changes
January 2020	Throughout	Edits language for clarity Adds responsibilities of NYUWH Engineering and Hospitality Services
	1.0	Incorporates Winthrop and NYU Long Island School of Medicine
	3.2	Remove reference to Building Services and Environmental Services
	Reviewed by	Adds review by NYU Winthrop Hospital, NYULH-Brooklyn, and Real Estate
August 2017	Throughout	Updates logo and organizational references
February 2017	Application	Changes NYULMC to NYU Langone
	1.0	Defines NYU Langone
	Review by	Adds review by HJD, Lutheran and Lutheran Family Health Centers EOC Committees
June 2016	4.3	Corrects time in which EH&S receives a copy of manifests
	Summary of Revisions	Adds Summary of Revisions
	App A	Condenses appendix
	App B	Deletes Appendix B

Sample Contract Language

NYULH requires that all outside contractors comply with all USEPA, NYSDEC, NYCDEP regulations and NYULH safety policies. NYULH 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. FOR ALL TYPES OF WORK

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 kept closed.
- Hard copies of Safety Data Sheets for all chemicals brought onto the premises shall be present at the location of work, such as the elevator motor rooms.
- The contractor is prohibited from using or storing chlorinated solvents on NYULH property.
- All containers of used oil (hydraulic, motor, grease, etc.) must be clearly labeled with the words "Used Oil".
- Any hazardous chemical waste (not used oil) must be labeled as "Hazardous Waste", and the components of and hazard warnings for the waste listed. Any hazardous waste maintained on site must be kept in a closed container. The waste must be properly disposed of through NYULH EH&S, at an EPA-permitted facility. Spent aerosol cans that once contained flammable or toxic solvent/propellant are considered hazardous waste.
- The contractor must remove all hazardous materials and petroleum products from the NYULH project site at the conclusion of the project, unless specifically requested, in writing, to leave certain materials with the NYULH project manager.
- The on-site personnel must be familiar with the NYULH Spill Prevention, Control and Countermeasures (SPCC) Plan, and trained in procedures to follow in the event of an oil or fuel spill.
- 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.

2. ELEVATOR MAINTENANCE

- The work shall comply with all applicable local, state and federal environmental regulations, including, but not limited to the following: 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 by contacting NYULH EH&S.

3. 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 NYULH property who work with refrigerants must have Universal Certification, and a copy provided to the NYULH 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.

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.

4. 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:

- 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 NYULH property.
- The contractor is responsible for the proper storage, handling and removal from the NYULH 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
 - 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 NYULH property.

5. EMERGENCY GENERATOR MAINTENANCE

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

- 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 NYULH 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 NYULH property. Any materials required for use on site must be brought to the site for service and removed immediately following service work.

6. BUILDING CLEANING

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

- 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 NYULH property.

Sample Contract Language

- 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 NYULH buildings shall attend special training provided by EH&S on the proper handling of the materials listed above.

7. WATER TREATMENT MAINTENANCE

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

- 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 NYULH property for proper disposal.

8. 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 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 Lamps" and appropriate hazard warning, e.g., toxic.
- 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 NYULH project manager.
- If a lamp-crusher is used on the NYULH property, the bulbs must go to a mercury recycler, and documentation about the facility provided to the NYULH project manager. Copies of waste manifests must be provided to NYULH.