



Rhode Island Department of Environmental Management

235 Promenade St., Providence, RI 02908-5767 TDD 401.222.4462

April 2, 2013

RE: Transportation of Silver-Containing Photo Fixing Solutions

Dear Hazardous Waste Transporter:

Questions have recently arisen as to the applicability of certain hazardous waste requirements for silver containing photo fixer. In Rule 13 of the [Hazardous Waste Regulations](#), the Department defines silver-containing photo fixing solutions as universal waste. This impacts the regulatory status of the waste in several ways:

- ◆ Generators, transporters and facilities have the **option** to treat this material as universal waste, otherwise it must be managed as a potential hazardous waste subject to the waste determination requirements of Rule 5.8.
- ◆ Generators that meet the definition of a small or large quantity universal waste handler may self transport universal waste only to another universal waste handler or destination facility without obtaining a permit. The “self” transportation must be conducted in strict compliance with the requirements of 40 CFR 273.18.
- ◆ If the generator has a permitted transporter transport the waste to a universal waste handler or destination facility within the state of Rhode Island, a hazardous waste manifest is not required.
- ◆ Many states do not provide the option to treat silver containing photo fixer as universal waste. When shipping to these states, the destination state’s rules must be followed regarding hazardous waste. This may require use of a manifest and a generator EPA ID number.
- ◆ If a generator elects to treat silver-containing photo fixing solutions as universal waste, then the transporter is not required to submit a hazardous waste generator fee. When recording a shipment of universal waste silver-containing photo fixing solution on a manifest, the code R015 should be used to waive the generator fee.
- ◆ Universal waste silver-containing photo fixing solutions must be handled in accordance with the requirements of Rule 13 which includes the restrictions described below:

Both large quantity and small quantity handlers of universal waste must manage universal waste silver-containing photo fixing solutions in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste silver-containing photo fixing solutions must be contained in one or more of the following:

- (1) *A container that remains closed, structurally sound compatible with the silver-containing photo fixing solutions, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; or*
 - (2) *A container that does not meet the requirements of the paragraph above, provided that the unacceptable container is overpacked in a container that does meet the requirements of above or*
 - (3) *A tank that meets the requirements of 40 CFR part 265 subpart J, except for 40 CFR 265.197(c), 265.200, and 265.201; or*
 - (4) *A transport vehicle or vessel that is closed, structurally sound, compatible with the silver-containing photo fixing solutions, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.*
- ◆ Other kinds of photo fixer described below do not qualify for the universal waste exemption:
- Other wastes from photo processing operations that exhibit one or more of the characteristics of hazardous waste, including wastes from system cleaning (acid regenerants, system cleaners, and photographic activators (hazardous waste code D002), dichromate based cleaners (hazardous waste code D007), and off-specification chemicals (hazardous waste code D001 and D002), shall be managed as hazardous waste (not universal waste).*

Please contact me if you have any concerns at (401) 222-2797 ext. 7112 or by e-mail at mark.dennen@dem.ri.gov.

Sincerely,

Mark M. Dennen, CPG
Principal Environmental Scientist
Office of Waste Management