

**Federal Property Management Regulations**

**§ 101-42.1102-1**

Federal supply class/grp	Title	Examples of hazardous materials requiring identification
6135 .....	Batteries, primary .....	Lead-acid, lithium and mercury batteries and alkaline (with electrolyte).
6140 .....	Batteries, secondary .....	Items that are wet or moist containing corrosive or other hazardous compounds.
6145 .....	Wire and cable, electrical .....	Insulated wire containing asbestos.
6220 .....	Electric vehicular lights and fixtures .....	Items that contain mercury.
6230 .....	Electric portable and hand lighting equipment .....	Items that contain wet batteries.
6240 .....	Electric lamps .....	Items that contain mercury.
6260 .....	Nonelectrical lighting fixtures .....	Items that contain mercury.
6350 .....	Miscellaneous signal and security detection systems .....	Items that contain wet batteries or radioactive material.
6505 .....	Drugs, biologicals and official reagents .....	Hazardous items as defined in §101-42.001.
6508 .....	Medicated cosmetics and toiletries .....	Hazardous items as defined in § 101-42.001 subject to DOT Hazardous Materials Regulations.
6510 .....	Surgical dressing materials .....	Items containing flammable solvents.
6520 .....	Dental instruments, equipment, and supplies .....	Items containing flammable solvents, mercury, or asbestos.
6525 .....	X-ray equipment and supplies: medical, dental, veterinary .....	Items containing hazardous chemicals, solvents.
6625 .....	Electrical and electronic properties measuring and testing instruments .....	Items containing radioactive materials.
6640 .....	Laboratory equipment and supplies .....	Items containing flammable compounds, mercury, or asbestos.
6685 .....	Pressure, temperature, and humidity and measuring and controlling instruments .....	Items containing mercury or compressed gases.
6740 .....	Photographic .....	Items containing radioactive compounds.
6750 .....	Photographic supplies .....	Items containing hazardous chemicals, solvents, thinners, and cements.
6780 .....	Photographic sets, kits and outfits .....	Items containing hazardous chemicals, solvents, thinners, and cements.
7360 .....	Sets, kits, and outfits; food preparation and serving .....	Items containing compressed gases such as fire extinguishers.
7510 .....	Office supplies .....	Hazardous items, such as thinners, cleaning fluids, flammable inks, and varnishes.
8405 .....	Outerwear, men's .....	Maintenance kits containing flammable solvents.
8410 .....	Outerwear, women's .....	Maintenance kits containing flammable solvents.
8415 .....	Clothing, special purpose .....	Maintenance kits containing flammable solvents.
8465 .....	Individual equipment .....	Maintenance kits containing flammable solvents.
8510 .....	Perfumes, toilet preparations, and powders ..	Shipping containers, and pressurized containers with flammable or nonflammable propellants.
8520 .....	Toilet soap, shaving preparations, and dentifrices .....	Shipping containers, pressurized containers with flammable or non-flammable propellants.
8720 .....	Fertilizers .....	Items containing weed and pest control or other harmful ingredients or because of their composition, are hazardous.
9390 .....	Miscellaneous fabricated nonmetallic materials .....	Items containing flammable solvents or asbestos.
9920 .....	Smokers' articles and matches .....	Lighter fuel and matches only.
9930 .....	Memorials; cemetery and mortuary equipment and supplies .....	Items containing formaldehyde or its solutions.

**§ 101-42.1102 Special requirements for utilization, donation, sale, and abandonment or destruction of hazardous materials and certain categories of property.**

**§ 101-42.1102-1 Asbestos.**

(a) *General.* (1) Asbestos is the common name for a group of natural minerals that occur as masses of compact or relatively long silky fibers. The Environmental Protection Agency classified asbestos as a hazardous air pollutant in 1972.

(2) Friable asbestos materials contain more than one percent asbestos by weight and can, by hand pressure, be

crumbled, pulverized, or reduced to powder, thus allowing for potential release of asbestos fibers into the air.

(3) Nonfriable asbestos materials cannot, when dry, be crumbled, pulverized, or reduced to powder by hand pressure and contain asbestos which is bonded or otherwise rendered unavailable for release into the atmosphere through normal usage. However, cutting, sanding, crushing, or performing some other disruptive action on items containing nonfriable asbestos can release asbestos fibers into the air.

(4) As noted in this §101-42.1102-1, property containing friable asbestos

normally shall not be transferred, donated, or sold. Notwithstanding these provisions, holding agencies may, on a case-by-case basis, request approval from the GSA Central Office (which will consult with EPA) to transfer, donate, or sell such property if, in the judgement of the holding agency, special circumstances warrant such action.

(b) *Utilization requirements.* (1) Excess personal property known to contain friable asbestos shall not be reported to GSA nor transferred among Federal agencies except as noted in §101-42.205(c) or paragraph (a)(4) of this section. GSA regional offices shall return any reports of excess property containing friable asbestos to the holding agency with instructions to dispose of the property under paragraph (e) of this section.

(2) Excess personal property containing nonfriable asbestos shall be reported and processed in the normal manner, as provided for in part 101-43, except that:

(i) The Standard Form (SF) 120, Report of Excess Personal Property, and SF 122, Transfer Order, Excess Personal Property, and any other appropriate documentation shall include the following warning:

WARNING

This property contains asbestos. Inhaling asbestos fibers may cause cancer. Do not release fibers by cutting, crushing, sanding, disassembling, or otherwise altering this property. End users and new owners, if transferred, should be warned. OSHA standards for personnel protection are codified at 29 CFR 1910.1001. EPA disposal standards are codified at 40 CFR part 763.

(ii) Immediately after excess determination, all items of personal property known to contain nonfriable asbestos shall be labeled with a warning substantially as follows:

WARNING

This property contains asbestos. Inhaling asbestos fibers may cause cancer. Do not release fibers by cutting, crushing, sanding, disassembling, or otherwise altering this property.

(c) *Donation requirements.* (1) Surplus personal property containing friable asbestos shall not be donated. Such

property shall be disposed of under paragraph (e) of this section.

(2) Surplus personal property containing nonfriable asbestos may be donated in the normal manner as provided for in part 101-44, except that:

(i) The Standard Form (SF) 123, Transfer Order Surplus Personal Property, and any other appropriate documentation shall include the warning as provided by paragraph (b)(2)(i) of this section.

(ii) All items of personal property to be donated which contain nonfriable asbestos shall be labeled as provided by paragraph (b)(2)(ii) of this section.

(d) *Sales requirements.* (1) Surplus personal property containing friable asbestos shall not be sold. Such property shall be disposed of under paragraph (e) of this section.

(2) Surplus personal property containing nonfriable asbestos may be sold as provided for in part 101-45, except that:

(i) Any documentation which lists the property to be sold and which is prepared incident to the sale, and any printed matter which advertises the sale of personal property containing nonfriable asbestos shall include the warning as provided by paragraph (b)(2)(i) of this section.

(ii) All items of personal property to be sold which contain nonfriable asbestos shall be labeled as provided by paragraph (b)(2)(ii) of this section.

(e) *Abandonment and destruction.* (1) Excess or surplus personal property which contains friable asbestos shall be disposed of by burial in a site which meets the requirements of 40 CFR 61.156. Holding agencies should contact the nearest office of the Environmental Protection Agency for assistance with regard to disposal of asbestos containing materials (with the exception of Department of Defense activities which should contact the Defense Logistics Agency).

(2) Personal property containing nonfriable asbestos which is not transferred, donated, or sold shall be abandoned or destroyed as provided for in subpart 101-45.9. However, if the holding agency judges that the nonfriable asbestos contained in the property has the potential of becoming friable for

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any reason during the process of abandonment or destruction, such property shall be disposed of as provided in paragraph (e)(1) of this section.

### § 101-42.1102-2 Polychlorinated biphenyls.

(a) *General.* (1) Polychlorinated biphenyls (PCBs) are one member of a class of chlorinated aromatic compounds which have been determined to be hazardous to health and the environment. They are used, among other things, as insulators and coolants for electric cables and components such as transformers and capacitors, as additives for extreme pressure lubricants, and as coatings in foundry use.

(2) Substances containing PCBs are divided into three classes according to the concentration of PCBs present, as measured by parts per million (ppm).

(i) Zero through 49 ppm is classified as an *excluded PCB product*.

(ii) Fifty through 499 ppm PCB is classified as *PCB item*.

(iii) Five hundred or greater ppm PCB is classified as *PCB*.

(3) Excluded PCB products (0-49 ppm PCB) are not subject to Federal restrictions and may be transferred, donated, sold, or otherwise processed under parts 101-43 through 101-46 of this chapter provided such processing conforms to the provisions of this section and all applicable State and local laws. Some States regulate PCB concentrations at a stricter level than does the Federal Government.

(4) All PCBs and PCB items to be transferred, donated, or sold shall be labeled or marked conspicuously with a warning substantially as follows:

Caution—This item contains PCBs (polychlorinated biphenyls), a toxic environmental contaminant requiring special handling and disposal in accordance with the U.S. Environmental Protection Agency regulation (40 CFR 761), applicable State laws, and 41 CFR 101-42.1102-2. For proper disposal information, contact the nearest EPA office. For transportation requirements, see 49 CFR Parts 171-180.

(5) Unmarked or unlabeled items containing PCBs or PCB items with an unknown level of concentration of PCBs shall not be transferred, donated, or sold.

(b) *Utilization requirements.* (1) PCBs and PCB items are reported for utilization screening in accordance with § 101-42.204.

(2) Transfers of excess PCBs or PCB items shall not be approved by GSA unless:

(i) The items are intact, non-leaking, and totally enclosed.

(ii) The SF 122, Transfer Order Excess Personal Property, or other transfer document cites the specific provision in 40 CFR Part 761 that permits continued use of the item, and contains a certification that the property has been inspected by the transferee and complies with all the use, inspection, labeling, and other provisions of 40 CFR part 761.

(3) When a PCB or PCB item is transferred as excess to another agency, the receiving agency shall annotate its property accountability records to reflect the nature and extent of the PCB content and shall list the provisions of 40 CFR part 761 authorizing use of the item. If tests are conducted to ascertain the nature and extent of PCB contamination, the receiving agency shall furnish the GSA regional office with a copy of the test results. Such information shall be perpetuated on any notification or release documents when the agency disposes of the property.

(c) *Donation requirements.* (1) No PCB or PCB-contaminated items shall be approved by GSA for donation under part 101-44 unless:

(i) The certification required by § 101-42.1102(a)(4) appears on the SF 123, Transfer Order Surplus Personal Property;

(ii) The specific donee has been determined; and

(iii) A justification from the recipient is attached stating the proposed use of the property and citing the specific provision in 40 CFR part 761 that permits continued use of the item.

(2) All PCBs and PCB items must be in usable condition and in working order to be eligible for donation. Such items that are not in usable condition will not be approved for donation.

(3) Items to be donated must be intact, totally enclosed, and non-leaking.

(4) If PCBs or PCB items are donated to service educational activities or to