

<u>SUBJECT</u>		<u>DATE</u>
1448. Definitions of Inactive Portion, Active Portion and Closed Portion of a RCRA TSDF		AUG 12, 2021
1449. Dangerous Waste Designations and Dangerous Waste Code Determinations		AUG 19, 2021
1450. Method Detection Limits and Hazardous Waste Determinations	ENCORE	AUG 26, 2021
1451. Method Detection Limits and Hazardous Waste Determinations II	ENCORE	SEP 2, 2021
1452. Totals Analysis vs. TCLP and Dividing by 20	ENCORE	SEP 9, 2021
1453. Decharacterized RCRA Waste - Manifesting and LDR Reporting	ENCORE	SEP 16, 2021
1454. Decharacterized Hazardous Waste Listed Solely for Non-Toxic Characteristics	ENCORE	SEP 23, 2021
1455. Decharacterized Wastes and the LDR Dilution Prohibition	ENCORE	SEP 30, 2021
1456. The "Derived from Rule", the "Mixtures Rule", and the "Contained-In Policy"	ENCORE	OCT 7, 2021
1457. Hazardous Debris and Options to Exclude as a Dangerous Waste		OCT 14, 2021
1458. Regulatory Status of Characteristic Baghouse Dust Destined for Reclamation		OCT 21, 2021
1459. RCRA Point of Generation and Baghouse Dust Collection Systems		OCT 28, 2021
1460. Pumps Containing Liquid Hazardous Wastes and Liquids in Landfill Prohibition	ENCORE	NOV 4, 2021
1461. Pumps Containing Liquid Hazardous Waste and Land Disposal Restrictions	ENCORE	NOV 11, 2021
1462. Pumps Containing Liquid Hazardous Wastes and RCRA Empty Containers		NOV 18, 2021
1463. Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents	ENCORE	NOV 23, 2021
1464. LDR Notifications/Certifications and Generator Permitted Treatment, Storage, or Disposal Facility	ENCORE	DEC 2, 2021
1465. Multiple Characteristic and Listed Hazardous Waste Codes and the "in lieu of" LDR Principle	ENCORE	DEC 9, 2021
1466. Universal Wastes - Recycling versus Disposal	ENCORE	DEC 16, 2021
1467. 'Twas the Night Before Christmas – The Twenty-Eighth Edition		DEC 24, 2021
1468. Spent Lead Acid Batteries vs., Universal Wastes	ENCORE	DEC 30, 2021
1469. Hazardous Debris and Radioactively Contaminated Cadmium Batteries	ENCORE	JAN 6, 2022
1470. Hazardous Debris and Radioactively Contaminated Lead-Acid Batteries	ENCORE	JAN 13, 2022
1471. Mercury Wet Cell Batteries - Debris or Not Debris	ENCORE	JAN 20, 2022
1472. Hazardous Debris and Non-Radioactive Lead Acid Batteries	ENCORE	JAN 27, 2022
1473. Hazardous Debris and LDR High/Low Mercury Subcategories	ENCORE	FEB 3, 2022
1474. Central Accumulation Areas and the ≤90-day Time Frame	ENCORE	FEB 10, 2022

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TWO MINUTE TRAINING

TO: CENTRAL PLATEAU CLEANUP COMPANY

FROM: PAUL W. MARTIN, RCRA Subject Matter Expert
CPCCo Environmental Protection, Hanford, WA

SUBJECT: CENTRAL ACCUMULATION AREAS AND THE ≤90-DAY TIME FRAME

DATE: FEBRUARY 10, 2022

<u>CPCCo Projects</u>	<u>CPCCo Functionals</u>	<u>HMIS</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
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Theresa Boles	Bob Bullock	Mike Demiter	(TBD)	Dean Baker	Lana Strickling
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Peter Ceton	Danielle Collins	Garin Erickson	Duane Carter	Paul Crane	Robin Varljen
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Patty Drago	Jeanne Elkins	Mark Kamberg		Ron Del Mar	Jay Warwick
Paul Fernandez	Jonathan Fullmer	Jon McKibben		John Dorian	Ted Wooley
Ryan Fisher	Bailey Hardy	Saul Martinez		Mark Ellefson	
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Andrew Getz	John Hultman	Carly Nelson		James Hamilton	
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Lawanda Grow	Mitch Marrott	Jon Perry		Andy Hobbs	
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Stuart Hildreth	Carlie Michaelis	Christian Seavoy		Ryan Johnson	
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TWO MINUTE TRAINING

SUBJECT: Central Accumulation Areas and the ≤90-day Time Frame

Q: According to [WAC 173-303-200\(1\)](#), “Conditions for exemption for a large quantity generator that accumulates dangerous waste”, [[40 CFR 262.17](#)], a generator may accumulate dangerous waste on-site without a permit or interim status for ninety days or less after the date of generation, provided that certain conditions are met. The permit relief is conditional which means if the generator complies with the requirements, a permit or interim status is not required. Concerning the ≤90-day accumulation time limit, what is the basis for this time frame?

A: Per the [December 18, 1978, Federal Register](#), Proposed Rule, on page 58988, first column, last paragraph, EPA stated:

“An issue central in the storage standards is when storage begins. The Agency believes that it would be inappropriate to require generators to comply with Subpart D storage regulations the instant a waste is generated because they really are not storage facility operators. However, the Agency also recognizes that generators tend to accumulate considerable quantities of hazardous waste over extended periods of time. With prolonged storage, the Agency believes the generator does become a storage facility operator, with the attendant environmental risks, and should have to comply with the storage regulations.

The Agency has decided to allow generators a reasonable period of time to accumulate hazardous waste on-site (with the intent to ship off-site) within which time they will not be considered storage facility operators. Ninety days has been selected as this interim period, as EPA considers that the likelihood of discharge of waste to the environment occurring within 90 days is low.”

Therefore, EPA’s concern that prolonged storage increases the risk of a spill was mitigated by limiting generator dangerous/hazardous waste accumulation to 90 days or less. EPA believed that the risks of a spill occurring within the 90 days of accumulation was low.

SUMMARY:

- A large quantity generator can accumulate dangerous waste on-site without a permit or interim status for 90 days or less.
- Since storage could not occur instantaneously, EPA allowed a reasonable time of 90 days or less to accumulate hazardous waste on-site.
- The ≤90-day time frame was chosen due to the low risk of a spill occurring during that time.

An excerpt from WAC 173-303-200(1) and the December 18, 1978, Federal Register are attached to the e-mail. If you have any questions, contact me at Paul_W_Martin@rl.gov or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 2/10/2022

FILE: 2MT\2022\021022.rtf

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Central Accumulation Areas and the ≤90-day Time Frame

Federal Register, Vol. 43, No. 243 – Monday, December 18, 1978, Page 58988

STANDARDS FOR STORAGE

The storage standards proposed in §250.44 are intended to prevent the release of hazardous waste from storage areas into the environment. Section 1004(33) of RCRA defines "storage" as the containment of hazardous waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of hazardous waste. Section 1004(3) of RCRA defines "disposal" as the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

Because "storage" cannot constitute "disposal," the regulations for hazardous waste storage operations require that storage be conducted in such a manner that no discharge or release of any waste occurs.

An issue central in the storage standards is when storage begins. The Agency believes that it would be inappropriate to require generators to comply with Subpart D storage regulations the instant a waste is generated because they really are not storage facility operators. However, the Agency also recognizes that generators tend to accumulate considerable quantities of hazardous waste over extended periods of time. With prolonged storage, the Agency believes the generator does become a storage facility operator, with the attendant environmental risks, and should have to comply with the storage regulations.

The Agency has decided to allow generators a reasonable period of time to accumulate hazardous waste on-site (with the intent to ship off-site) within which time they will not be considered storage facility operators. **Ninety days has been selected as this interim period, as EPA considers that the likelihood of discharge of waste to the environment occurring within 90 days is low.** Accordingly, a storage facility is defined as any facility that stores hazardous waste, except a facility used by a generator to store his own hazardous waste on-site in DOT specification containers for less than 90 days for subsequent transport off-site.

WAC 173-303-200 Conditions for exemption for a large quantity generator that accumulates dangerous waste.

Large quantity generators, not to include transporters as referenced in WAC 173-303-240(3), may accumulate dangerous waste on site without a permit or interim status, and without complying with the requirements of WAC 173-303-600 provided that all of the following conditions for exemption listed in this section are met.

(1) Off-site shipments. All dangerous waste is shipped off site to a designated facility or placed in an on-site facility which is permitted by the department under WAC 173-303-800 through 173-303-845 or recycled or treated on site in ninety days or less. A generator who accumulates dangerous waste for more than ninety days is an operator of a storage facility and is subject to the facility requirements of this chapter and the permit requirements of this chapter as a storage facility unless they have been granted an extension to the ninety-day period allowed pursuant to subsection (2) of this section;

FROM: Paul W. Martin

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