

<u>SUBJECT</u>		<u>DATE</u>
1394. RCRA Empty vs. DOT Empty	ENCORE	JUL 30, 2020
1395. RCRA Empty vs. DOT Empty II	ENCORE	AUG 6, 2020
1396. Empty Containers and the "Empty" Label	ENCORE	AUG 13, 2020
1397. Exceptions to Free Liquids in Landfills Prohibition	ENCORE	AUG 20, 2020
1398. Dust Suppression in Landfills with Nonhazardous Liquids	ENCORE	AUG 27, 2020
1399. Treated Hazardous Wastes Used as Dust Suppressant	ENCORE	SEP 3, 2020
1400. Regulatory Status of Used Oil Mixed with Diesel Fuel	ENCORE	SEP 10, 2020
1401. RCRA Liquids, Free Liquids, and Releasable Liquids	ENCORE	SEP 17, 2020
1402. Available Regulatory Relief from Underlying Hazardous Constituent (UHC) Requirements	ENCORE	SEP 24, 2020
1403. Smoke Detector Disposal and the NRC	ENCORE	OCT 1, 2020
1404. DOT Shipping of Damaged, Defective, or Recalled Lithium Batteries	ENCORE	OCT 8, 2020
1405. Conservative Declaration that Material is a Hazardous Waste	ENCORE	OCT 15, 2020
1406. Manifest Exception Report Submittal Timeframes – RCRA vs. TSCA	ENCORE	OCT 22, 2020
1407. Characteristic Ignitable, Corrosive or Reactive Debris and Macroencapsulation	ENCORE	OCT 29, 2020
1408. RCRA Satellite Accumulation Areas and Applicability of Personnel Training		NOV 5, 2020
1409. The Hazardous Waste Generator Improvements Rule and Designation of Nonhazardous Waste		NOV 12, 2020
1410. RCRA Aisle Space Requirements and Washington State vs., EPA		NOV 19, 2020
1411. The Definition of Good Housekeeping	ENCORE	NOV 24, 2020
1412. Absorbent Additions and Treatment	ENCORE	DEC 3, 2020
1413. LDR Notifications and F001-F005 Constituents of Concern	ENCORE	DEC 10, 2020
1414. LDR Notifications and F001-F005 Constituents of Concern – Again!	ENCORE	DEC 17, 2020
1415. 'Twas the Night before Christmas – The Twenty-Seventh Edition		DEC 24, 2020
1416. LDR Notifications and F001-F005 Constituents of Concern - One Last Time!	ENCORE	DEC 31, 2020
1417. RCRA Empty Containers and Removing as Much Waste as Possible	ENCORE	JAN 7, 2021
1418. Universal Waste, Incandescent Bulbs and Nonhazardous Bulbs	ENCORE	JAN 14, 2021
1419. Listed Waste Codes and Pre-RCRA Wastes	ENCORE	JAN 21, 2021
1420. Commercial Chemical Products and Unused Batteries	ENCORE	JAN 28, 2021
1421. Recycling of Non-Listed Commercial Chemical Products	ENCORE	FEB 4, 2021
1422. RCRA Personnel Training and Classroom Training vs. Online Training	ENCORE	FEB 11, 2021
1423. EPA Definition of "Annual" Refresher Training	ENCORE	FEB 18, 2021

Approved for Public Release;
Further Dissemination Unlimited

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING

TO: CENTRAL PLATEAU CLEANUP COMPANY

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

SUBJECT: EPA DEFINITION OF "ANNUAL" REFRESHER TRAINING

DATE: FEBRUARY 18, 2021

<u>CPCCo Projects</u>	<u>CPCCo - Env. Protection</u>	<u>HMIS</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Richard Austin Tania Bates Rene Catlow Richard Clinton Larry Cole Laura Cusack Stuart Hildreth Stephanie Johansen Sasa Kosjerina Richard Lipinski Stuart Mortensen Dave Richards Sean Sexton Dave Shea Phil Sheely Connie Simiele Jeff Westcott	Jeff Bramson Bob Bullock Frank Carleo Danielle Collins Jennifer Copeland Jeanne Elkins Ryan Fisher Jonathan Fullmer Steve Heninger Julie Johanson Barry Lawrence Diane Leist Mitch Marrott Stewart McMahand Brian Mitcheltree Anthony Nagel Chris Plager Linda Petersen Brent Porter Dale Snyder Kat Thompson Wayne Toebe Daniel Turlington Britt Wilkins	Brett Barnes Michael Carlson Mike Demiter Kip George Jerry Cammann Jeff Ehlis Garin Erickson Panfilo Gonzalez Jr. Dashia Huff Mark Kamberg Jon McKibben Saul Martinez Matt Mills Carly Nelson Michelle Oates Eric Pennala Jon Perry Christina Robison Christian Seavoy David Shaw John Skogle Lana Strickling Greg Sullivan	(TBD) <u>DOE RL, ORP, WIPP</u> Mary Beth Burandt Duane Carter Al Farabee Tony McKarns	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Rob Gregory James Hamilton Andy Hobbs Ryan Johnson Megan Lerchen Mike Lowery Michael Madison Terri Mars Cary Martin Grant McCalmant Steve Metzger Tony Miskho Tom Moon Chuck Mulkey Kirk Peterson	Dan Saueressig Joelle Moss Glen Triner Greg Varljen Julie Waddoups Jay Warwick Ted Wooley

Approved for Public Release;
Further Dissemination Unlimited

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING

SUBJECT: EPA Definition of "Annual" Refresher Training

Q: A customer holds its annual dangerous waste refresher training every year, plus or minus 90 days to accommodate all personnel and minimize work stoppage. The customer is concerned that some employees may go 15 months between training events. Does "annual" mean that the customer must train facility personnel on or before the end of the one-year anniversary of training, e.g., 365 days, or that the customer can train facility personnel every year plus or minus "X" number of days?

A: Per [WAC 173-303-330\(1\)\(b\)](#), [40 CFR [264.16](#) / [265.16](#)], "Facility personnel must participate in an annual review of the training provided in the training program". The Washington Administrative Code (WAC) dangerous waste and Federal hazardous waste regulations do not define the term annual training. However, an EPA memo ([RO 14286](#)) dated June 10, 1997, states:

"While it may be infeasible for companies with many employees to train each employee exactly one year after the last training, the Agency does expect companies to attempt to provide training so that personnel are trained every year. While United Technologies, Pratt & Whitney's program may allow as much as 15 months to pass between training courses, an employee would, over the course of four years for example, receive 4 annual training reviews. Therefore, United Technologies, Pratt & Whitney's training system as described in your letter would meet the requirements of the federal regulations at 40 CFR 264.16, and 40 CFR 265.16."

Therefore, our customer's annual refresher training of yearly plus or minus 90 days would be compliant with the federal regulations. In the State of Washington, the Hanford Site conducts annual refresher training not less than 30 days after the retraining date as documented in the [Hanford RCRA permit \(Attachment 5, Section 5.1.2\)](#) and various company procedures. As always, States can be more stringent or have different interpretations from Federal guidance.

SUMMARY:

- Dangerous/Hazardous Waste refresher training is required annually.
- Federal guidance states that "annual" can be yearly plus or minus 90 days.
- The Hanford permit and procedures state that "annual" is yearly plus or minus 30 days.

Excerpts from WAC 173-303-330 and the June 10, 1997, EPA memo are attached to the e-mail. If you have any questions, contact me at [Paul W Martin@rl.gov](mailto:Paul.W.Martin@rl.gov) or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 2/18/2021

FILE: 2MT\2021\021821.rtf

PG: 1

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: EPA Definition of "Annual" Refresher Training

WAC 173-303-330 Personnel training.

(1) Training program. The facility owner or operator must provide a program of classroom instruction or on-the-job training for facility personnel. This program must teach personnel to perform their duties in a way that ensures the facility's compliance with this chapter 173-303 WAC, must teach facility personnel dangerous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed, must ensure that facility personnel are able to respond effectively to emergencies, and must include those elements set forth in the training plan required in subsection (2) of this section. In addition:

- (a) The training program must be directed by a person knowledgeable in dangerous waste management procedures, and must include training relevant to the positions in which the facility personnel are employed;
- (b) Facility personnel must participate in an annual review of the training provided in the training program;
- (c) This program must be successfully completed by the facility personnel:
 - (i) Within six months after these regulations become effective; or
 - (ii) Within six months after their employment at or assignment to the facility, or to a new position at the facility, whichever is later.
- (d) Employees hired after the effective date of these regulations must be supervised until they complete the training program; and
- (e) At a minimum, the training program must familiarize facility personnel with emergency equipment and systems, and emergency procedures. The program must include other parameters as set forth by the department, but at a minimum must include, where applicable:
 - (i) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;
 - (ii) Key parameters for automatic waste feed cut-off systems;
 - (iii) Communications or alarm systems;
 - (iv) Response to fires or explosions;
 - (v) Response to ground-water contamination incidents; and
 - (vi) Shutdown of operations.

(2) Written training plan. The owner or operator must develop a written training plan which must be kept at the facility and which must include the following documents and records:

- (a) For each position related to dangerous waste management at the facility, the job title, the job description, and the name of the employee filling each job. The job description must include the requisite skills, education, other qualifications, and duties for each position;
- (b) A written description of the type and amount of both introductory and continuing training required for each position; and
- (c) Records documenting that facility personnel have received and completed the training required by this section. The department may require, on a case-by-case basis, that training records include employee initials or signature to verify that training was received.

(3) Training records. Training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

FROM: Paul W. Martin

DATE: 2/18/2021

FILE: 2MT\2021\021821.rtf

PG: 2

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: EPA Definition of "Annual" Refresher Training

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

June 10, 1997

Mr. Robert J. Tierney
United Technologies, Pratt & Whitney
400 Main Street
East Hartford, Connecticut 06106

RPPC# 9472.1997(01)
Faxback 14286

Dear Mr. Tierney:

Thank you for your letter of May 21, 1997 regarding the Environmental Protection Agency's (EPA's) personnel training requirements under the Resource Conservation and Recovery Act (RCRA). You request concurrence on your interpretation of the requirements for annual training found at 40 Code of Federal Regulations (CFR) 264.16 and 40 CFR 265.16 as they apply to employees of treatment, storage, and disposal facilities (TSDFs). These requirements also apply to large quantity generators subject to 262.34(a) (4). Specifically, you ask whether your system of annual training comports with the federal requirements.

Based on the description provided in your letter, the Agency believes that your training program meets the federal requirements for training found at 40 CFR __264.16 and 265.16. As you know, under Section 3009 of RCRA (42 U.S.C. Section 6929), states retain authority to promulgate regulatory requirements that are more stringent than the federal regulatory requirements. Therefore, you should contact the state(s) in which you operate for a more site-specific determination.

In general, EPA requires TSDFs and generators of more than 1,000 kilograms per month of hazardous waste (or more than 1 kilogram per month of acutely hazardous waste) who accumulate waste on site to comply with the personnel training requirements outlined at 40 CFR 264.16 and 40 CFR 265.16. The requirement at 40 CFR 264.16 and 40 CFR 265.16 requires facility personnel to "take part in an annual review of the initial training..." The purpose of this requirement is to ensure that facility personnel maintain expertise in the areas to which they are assigned thereby reducing the potential for mistakes that might threaten human health or the environment. This requirement also ensures that personnel are able to respond effectively in emergency situations.

The Agency is aware that companies may have many employees, and must organize training so that groups of employees can take training together. As stated in your letter, United Technologies, Pratt & Whitney requires employees to take refresher training within a 90-day window before the one-year anniversary of the original training. Under this system, employees who receive training during the beginning of the 90-day window in one year, and at the end of the 90-day window in the next year, may have as many as 15 months between training courses.

While it may be infeasible for companies with many employees to train each employee exactly one year after the last training, the Agency does expect companies to attempt to provide training so that personnel are trained every year. While United Technologies, Pratt & Whitney's program may allow as much as 15 months to pass between training courses, an employee would, over the course of four years for example, receive 4 annual training reviews. Therefore, United Technologies, Pratt & Whitney's training system as described in your letter would meet the requirements of the federal regulations at 40 CFR 264.16, and 40 CFR 265.16.

As stated previously, states may interpret the regulatory requirements more stringently than the federal regulations and should be consulted for an interpretation on this matter.

Thank you for your interest in the safe management of hazardous wastes.

Sincerely,

Elizabeth Cotsworth, Acting Director
Office of Solid Waste

FROM: Paul W. Martin

DATE: 2/18/2021

FILE: 2MT\2021\021821.rtf

PG: 3

DISCLAIMER - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.