

<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
1424. Satellite Accumulation of Aerosol Cans and Determining the 55-Gallon Limit	ENCORE	FEB 25, 2021
1425. PCB Wastes and RCRA Hazardous Waste Characteristics D018 through D043	ENCORE	MAR 4, 2021
1426. PCB Containers and Empty Requirements	ENCORE	MAR 11, 2021
1427. PCB Containers and Empty Requirements II	ENCORE	MAR 18, 2021
1428. PCB Containers and Decontamination Requirements	ENCORE	MAR 25, 2021
1429. F002, Methylene Chloride and Coffee Decaffeination	APRIL FOOL'S	APR 1, 2021
1430. Central Accumulation Area – Location and Total Number		APR 8, 2021
1431. Satellite Accumulation Area Container and Temporary Central Accumulation		APR 15, 2021
1432. Satellite Accumulation and "At or Near"	ENCORE	APR 22, 2021

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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: SATELLITE ACCUMULATION AND “AT OR NEAR”

DATE: APRIL 22, 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 Stuart Hildreth Stephanie Johansen Sasa Kosjerina Richard Lipinski Stuart Mortensen Dave Richards Sean Sexton Dave Shea Phil Sheely 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 Skogleie 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

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TWO MINUTE TRAINING

SUBJECT: Satellite Accumulation and “At or Near”

Q: A customer at a large facility with radiologically controlled areas (RCAs) frequently replaces nickel-cadmium (Ni-Cad) batteries from monitoring devices mounted in various locations throughout the facility. Since the Ni-Cad batteries are in an RCA, free release of the batteries for recycling as universal waste is not allowed. The customer would like to collect the Ni-Cad batteries as dangerous waste in the Centralized Maintenance Workshop at a satellite accumulation area (SAA) as opposed to multiple SAAs near each monitoring device. The customer is concerned and that the centralized maintenance workshop would not be considered “at or near” the initial point of generation. Can the customer accumulate the Ni-Cad batteries in a central SAA and be in compliance with the SAA requirements for at or near?

A: [WAC 173-303-174](#) [[40 CFR 262.15](#)] basically states that a generator may accumulate as much as 55 gallons of dangerous waste or 1 quart of liquid acutely hazardous waste or 2.2 lbs., of solid acutely hazardous waste in containers at or near any point of generation where waste initially accumulates, under the control of the operator of the process generating the waste or secured at all times to prevent improper additions of wastes to a satellite container. [Note that “or secured at all times” is Washington State wording and similar wording is not present in the Federal regulations.]

The phrase “at or near” is not defined in terms of a measured distance. However, an EPA guidance memo entitled, [Clarification of the Satellite Accumulation Provision for Hazardous Waste Generators](#), dated February 23, 1993, stated:

“For like wastes generated from many individual locations (e.g., nickel-cadmium batteries), we would interpret the “at or near the point of generation...” language to include a specific satellite area designated by the generator that facilitates the accumulation of this material prior to moving it to a designated hazardous waste storage area. A generator should be able to define the locations of waste generation being served by a satellite accumulation area (within a generator facility or part of a facility). This is to ensure that a determination can be made as to when the 55-gallon limit has been reached for a particular satellite area.”

Similar guidance from a WA Dept., of Ecology “Background Document” (3045.940100(2)) is attached.

Per the above wording, generators can accumulate like wastes from many individual locations, at a specific SAA within the facility as designated by the generator. This means that the customer’s spent Ni-Cad batteries could be removed from the monitoring devices located throughout the facility and then accumulated at a specific SAA at the Centralized Maintenance Workshop.

SUMMARY:

- SAA requirements are identified in WAC 173-303-174.
- The phrase “at or near” is not specifically defined in the regulations.
- Per an EPA memo and an Ecology Background Document, a generator can accumulate like wastes from many individual locations, at a specific SAA within the generator’s facility.

WAC 173-303-174, 40 CFR 262.15, an excerpt from [WAC 173-303-040](#), and the Ecology Background Document are attached. If you have any questions, please contact me at [Paul W Martin@rl.gov](mailto:Paul_W_Martin@rl.gov) or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 4/22/2021

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: Satellite Accumulation and “At or Near”

Radiologically Controlled Area (RCA) - Any area to which access is controlled in order to protect individuals from exposure to radiation and to radioactive materials.

WAC 173-303-040 Definitions.

When used in this chapter, the following terms have the meanings given below.

Note:	The list of defined terms in this section does not contain all defined terms used in chapter 173-303 WAC.
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"Satellite accumulation area" means a location at or near any point of generation where dangerous waste is initially accumulated in containers (during routine operations) prior to consolidation at a designated central accumulation area or storage area. The area must be under the control of the operator of the process generating the waste or secured at all times to prevent improper additions of wastes into the satellite containers.

WAC 173-303-174 Satellite accumulation area regulations for medium quantity generators and large quantity generators.

(1) A generator may accumulate as much as fifty-five gallons of dangerous waste or either one quart of liquid acutely hazardous waste or 2.2 lbs. of solid acutely hazardous waste (as defined in WAC 173-303-040) in containers at or near any point of generation where waste initially accumulates (defined as a satellite accumulation area in WAC 173-303-040). The satellite accumulation area must be under the control of the operator of the process generating the waste or secured at all times to prevent improper additions of wastes to a satellite container. A generator may accumulate waste without a permit, or without complying with WAC 173-303-400, 173-303-600, 173-303-692, and 173-303-800, provided that all the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in WAC 173-303-172 and 173-303-200, except as required by (h) and (i) of this subsection. The conditions for exemption for satellite accumulation are:

(a) Condition of containers. If a container holding dangerous waste is not in good condition (e.g., severe corroding or rusting or flaking or scaling, and/or apparent structural defects) or if it begins to leak, the generator must transfer the dangerous waste to a container that is in good condition and does not leak, or immediately transfer and manage the waste in a central accumulation area operated in compliance with WAC 173-303-172 or 173-303-200, as applicable. In addition, the generator must address leaks and spills in accordance with the applicable provisions of WAC 173-303-145, 173-303-172, and 173-303-201.

(b) Compatibility of waste with containers. The generator must use a container made of or lined with materials which will not react with, and are otherwise compatible with, the dangerous waste to be stored, so that the ability of the container to contain the waste is not impaired.

(c) Management of containers.

(i) A container holding dangerous waste must be closed at all times, except:

(A) When it is necessary to add or remove waste; or

(B) When temporary venting of a container is necessary, such as:

TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: Satellite Accumulation and “At or Near”

(I) For the proper operation of equipment; or

(II) To prevent dangerous situations, such as build-up of extreme pressure.

(ii) A container holding dangerous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.

(d) Special requirements for reactive waste. Containers holding reactive waste exhibiting a characteristic specified in WAC 173-303-090 (7)(a)(vi) through (viii) must be stored in a manner equivalent to the separation distances for storage of explosives in the International Fire Code, 2015 edition, or the version adopted by the local fire district.

(e) Special requirements for incompatible wastes.

(i) Incompatible wastes, or incompatible wastes and materials must not be placed in the same container, unless WAC 173-303-395 (1)(b) is complied with.

(ii) Dangerous waste must not be placed in an unwashed container that previously held an incompatible waste or material.

(iii) A storage container holding a dangerous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device. Containment systems for incompatible wastes must be separate.

(f) Container labeling or marking. A generator must clearly label or mark each container of dangerous waste with the following:

(i) The words "Dangerous Waste" or "Hazardous Waste." Except for containers one gallon (or four liters) and under, the lettering must be legible from a distance of twenty-five feet or the lettering size is a minimum of one-half inch in height.

(ii) An indication of the hazards of the contents (examples include, but are not limited to, the applicable dangerous waste characteristic(s) and criteria of ignitable, corrosive, reactive and toxic and the applicable hazard(s) identified for listed dangerous wastes). The label or marking must be:

(A) Legible and/or recognizable from a distance of twenty-five feet or the lettering size is a minimum of one-half inch in height; and

(B) Include descriptive word(s) and/or pictogram(s) that identifies the hazards associated with the contents of the containers for the public, emergency response personnel, and employees; for containers one gallon (or four liters) and under the label, marking or lettering can be appropriate for the size of the container.

(g) Accumulation limits. When the accumulation limits listed in this subsection are met:

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- (i) The container(s) must be marked immediately with the accumulation start date; and
- (ii) Moved within three consecutive calendar days to a permitted on-site designated storage area or an on-site central accumulation area or to a permitted off-site designated facility; and
- (iii) During the three consecutive calendar day period the generator must continue to comply with all the conditions for exemption for satellite accumulation in this section.

(h) All satellite accumulation areas operated by medium quantity generators must meet the preparedness and prevention regulations and the emergency procedures in WAC 173-303-172.

(i) All satellite accumulation areas operated by large quantity generators must meet the preparedness, prevention and contingency regulations and emergency procedures in WAC 173-303-201.

(2) On a case-by-case basis the department may require the satellite accumulation area to be managed in accordance with all or some of the requirements under WAC 173-303-172 or 173-303-200 and secondary containment requirements of WAC 173-303-630(7), if the nature of the wastes being accumulated, a history of spills or releases from accumulated containers, or other factors are determined by the department to be a threat or potential threat to human health or the environment.

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SUBJECT: Satellite Accumulation and “At or Near”

40 CFR §262.15 Satellite accumulation area regulations for small and large quantity generators

(a) A generator may accumulate as much as 55 gallons of non-acute hazardous waste and/or either one quart of liquid acute hazardous waste listed in §261.31 or §261.33(e) of this chapter or 1 kg (2.2 lbs) of solid acute hazardous waste listed in §261.31 or §261.33(e) of this chapter in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with the requirements of parts 124, 264 through 267, and 270 of this chapter, provided that all of the conditions for exemption in this section are met. A generator may comply with the conditions for exemption in this section instead of complying with the conditions for exemption in §262.16(b) or §262.17(a), except as required in §262.15(a)(7) and (8). The conditions for exemption for satellite accumulation are:

(1) If a container holding hazardous waste is not in good condition, or if it begins to leak, the generator must immediately transfer the hazardous waste from this container to a container that is in good condition and does not leak, or immediately transfer and manage the waste in a central accumulation area operated in compliance with §262.16(b) or §262.17(a).

(2) The generator must use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be accumulated, so that the ability of the container to contain the waste is not impaired.

(3) Special standards for incompatible wastes.

(i) Incompatible wastes, or incompatible wastes and materials, (see appendix V of part 265 for examples) must not be placed in the same container, unless §265.17(b) of this chapter is complied with.

(ii) Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste or material (see appendix V of part 265 for examples), unless §265.17(b) of this chapter is complied with.

(iii) A container holding a hazardous waste that is incompatible with any waste or other materials accumulated nearby in other containers must be separated from the other materials or protected from them by any practical means.

(4) A container holding hazardous waste must be closed at all times during accumulation, except:

(i) When adding, removing, or consolidating waste; or

(ii) When temporary venting of a container is necessary

(A) For the proper operation of equipment, or

(B) To prevent dangerous situations, such as build-up of extreme pressure.

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SUBJECT: Satellite Accumulation and “At or Near”

(5) A generator must mark or label its container with the following:

(i) The words “Hazardous Waste” and

(ii) An indication of the hazards of the contents (examples include, but are not limited to, the applicable hazardous waste characteristic(s) (*i.e.*, ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 CFR part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704).

(6) A generator who accumulates either acute hazardous waste listed in §261.31 or §261.33(e) of this chapter or non-acute hazardous waste in excess of the amounts listed in paragraph (a) of this section at or near any point of generation must do the following:

(i) Comply within three consecutive calendar days with the applicable central accumulation area regulations in §262.16(b) or §262.17(a), or

(ii) Remove the excess from the satellite accumulation area within three consecutive calendar days to either:

(A) A central accumulation area operated in accordance with the applicable regulations in §262.16(b) or §262.17(a);

(B) An on-site interim status or permitted treatment, storage, or disposal facility, or

(C) An off-site designated facility; and

(iii) During the three-consecutive-calendar-day period the generator must continue to comply with paragraphs (a)(1) through (5) of this section. The generator must mark or label the container(s) holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.

(7) All satellite accumulation areas operated by a small quantity generator must meet the preparedness and prevention regulations of §262.16(b)(8) and emergency procedures at §262.16(b)(9).

(8) All satellite accumulation areas operated by a large quantity generator must meet the Preparedness, Prevention and Emergency Procedures in subpart M of this part.

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SUBJECT: Satellite Accumulation and “At or Near”

Ecology Permit Compendium

3045.940100(2)

BACKGROUND DOCUMENT

Patricia Hervieux

RULE MAKING AUTHORIZATION

Summary of Amendments to Chapter 173-303 WAC

Dangerous Waste Regulations

Effective January 8, 1994

"Operator's control" and "secured"- In order to allow a generator to have more flexibility in deciding where to locate their satellite accumulation area, it has been specified that a satellite accumulation area may be either "under control of the operator of the process generating the waste" or "secured at all times". The "secured at all times" option would allow a satellite container to be located farther away from the process generating the satellite waste. This option was added, in part, to allow facilities to satellite accumulate in one area, waste streams such as batteries and fluorescent light tubes that are generated throughout a facility. While "secured" is not specifically defined, it will be interpreted to ensure that the waste in the satellite container is protected from improper or unauthorized additions of other wastes at all times. "Secure" might be achieved through the use of a locked area (possibly located outside of the building), a locking device on the container, or through administrative controls. Additionally, by allowing the "secured" performance standard, Ecology intends to allow facilities to satellite accumulate waste streams that are generated throughout the facility (i.e. batteries) in one, secured, satellite area.

FROM: Paul W. Martin

DATE: 4/22/2021

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