

<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
1433. Generators and Waste Analysis Plans		APR 29, 2021
1434. RCRA TSDFs Operating Record Requirements	ENCORE	MAY 6, 2021
1435. Operating Records Not Referenced in the "Operating Record" Regulations	ENCORE	MAY 13, 2021
1436. RCRA Generators Operating Record Requirements		MAY 20, 2021
1437. Operating Record vs. Operating Log		MAY 27, 2021
1438. RCRA Hazard Labeling – A Random Scenario	ENCORE	JUN 3, 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: RCRA HAZARD LABELING – A RANDOM SCENARIO

DATE: JUNE 3, 2021

<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>
Richard Austin Tania Bates Rene Catlow Richard Clinton Stuart Hildreth 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 Leah Hare Steve Heninger John Hultman 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 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 Skoglie Lana Strickling Greg Sullivan	(TBD) <u>DOE RL, ORP, WIPP</u> Duane Carter Al Farabee Tony McKarns	Bill Bachmann Dean Baker Scott Baker Paul Crane Tina Crane Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Rob Gregory James Hamilton Andy Hobbs Stephanie Johansen 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 Robin Varljen Julie Waddoups Jay Warwick Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: RCRA Hazard Labeling – A Random Scenario

Q: A permitted Treatment, Storage and Disposal facility (TSDF) in Washington State has three, 55-gallon containers of dangerous/hazardous waste. The TSDF generated one container that is awaiting hazard-labeling instructions. The TSDF received the second container from a large quantity generator (LQG) with a “Corrosive” hazard label already on the container. The TSDF received the third container from a WA Small Quantity Generator (confusingly equivalent to the Federal definition of a Very Small Quantity Generator - VSQG) with no hazard labeling. What, if any hazard labels are required on these three dangerous waste containers once received at, or generated by, the TSDF?

A: EPA promulgated the [Generator Improvements Rule](#) (GIR), on November 28, 2016, and Washington State adopted most of the rule on January 28, 2019. The GIR finalized requirements for hazard labeling by generators and TSDFs and other requirements such as “Quick Reference Guides” to summarize contingency plans. For hazard labeling, EPA promulgated several marking options, which included the applicable:

- Hazardous waste characteristics (ignitable, corrosive, reactive or toxic - ICRT),
- Department of Transportation (DOT) labels or placards, hazard classes 1 through 9,
- Occupational Safety and Health Administration (OSHA) hazard statements or pictograms, i.e., the Globally Harmonized System (GHS) of Classification and Labelling of Chemicals, or;
- National Fire Protection Association (NFPA) chemical hazard labels.

However, Washington State did not adopt the Federal hazard-labeling rule in its entirety and essentially only adopted the first ICRT bullet of the Federal marking options.

Concerning whether the WA TSDF must mark the three containers with hazard labels, [WAC 173-303-200\(7\)\(a\)\(iii\)](#) [[40 CFR 262.17\(a\)\(5\)\(B\)](#)], requires large quantity generators to mark dangerous waste containers with an indication of the hazards. Therefore, the LQG container received and already marked as “Corrosive” is acceptable as is. Concerning the TSDF generated container, since the TSDF is an LQG, the container must be marked with an indication of the hazard, which in WA State, will be one or more of the ICRT characteristics.

Concerning the WA SQG container (a VSQG in Federal terms), per [WAC 173-303-171](#) [[40 CFR 262.14](#)] these generators are not required to mark their hazardous waste containers with an indication of the hazards unless delivering the dangerous waste to an LQG under control of the same person as the SQG/VSQG. The November 28, 2016, Federal Register clarified on page 85761, that even though a VSQG is not required to mark or label their containers as “Hazardous Waste” or identify the hazards when delivering to a TSDF, the receiving TSDF must apply the applicable “Hazardous Waste” and hazard label markings.

Therefore, all three dangerous waste containers – in this random scenario - must be marked with the applicable hazard labels, once received by, or generated at, the TSDF.

SUMMARY:

- The GIR promulgated hazard labeling requirements for generators and TSDFs.
- WA SQGs and VSQGs are not generally not required to mark hazards on dangerous/hazardous waste containers.
- A TSDF must mark all dangerous waste containers with hazard labels received by, or generated at, the TSDF.

Excerpts from the November 28, 2016, Federal Register, WAC 173-303-171 and WAC 173-303-200 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: 6/3/2021

FILE: 2MT\2021\060321.rtf

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: RCRA Hazard Labeling – A Random Scenario

Federal Register / Vol. 81, No. 228 / Monday, November 28, 2016 / Rules and Regulations

85761

b. What is EPA finalizing? The Agency is finalizing the requirement for TSDFs to mark or label containers of hazardous waste with the words "Hazardous Waste," an indication of the hazards of the contents, and the applicable EPA hazardous waste numbers (waste codes) consistent with § 262.32(b)-(d). As with transfer facilities, EPA expects almost all incoming containers received by a TSDF will already have the appropriate marking and labeling information and, therefore, that a TSDF will usually only need to mark or label a container themselves when receiving shipments from facilities that are neither SQGs nor LQGs. As an example, TSDFs may receive hazardous wastes directly from VSQGs. Under the federal program, VSQGs are not required to mark and label their containers "Hazardous Wastes" and identify the hazards associated with the wastes in the container. In this situation, the TSDF must mark or label the container with the words "Hazardous Waste," the applicable hazardous waste codes, and identify the hazards of the container. Additionally, consistent with the pre-existing regulations at § 268.50(a)(2)(i), a TSDF must also continue to mark or label each container of hazardous waste to identify the contents of the container and the date each period of accumulation begins, regardless of whether the TSDF receives the containers from a VSQG, SQG, LQG, or transfer facility. The Agency is also reiterating that if a TSDF generates its own hazardous waste, it must follow the applicable RCRA generator regulations in part 262, including the marking and labeling provisions for containers and tanks.

WAC 173-303-171 Conditions for exemption for a small quantity generator.

(1) Provided that the small quantity generator meets all the conditions for exemption listed in this section, dangerous waste generated by the small quantity generator is not subject to regulation under this chapter except for WAC 173-303-050, 173-303-070, 173-303-145, 173-303-169, 173-303-170, 173-303-171 and 173-303-960. The conditions for exemption are as follows:

(e) A small quantity generator that accumulates dangerous waste in amounts less than or equal to the limits in (c) of this subsection must either treat or dispose of their dangerous waste in an on-site facility, or ensure delivery to an off-site facility, either of which, if located in the United States, is:

(ix) A large quantity generator under the control of the same person as the small quantity generator, provided the following conditions are met:

(A) The small quantity generator and the large quantity generator are under the control of the same person as defined in WAC 173-303-040 of this chapter. Contractors, consultants, transporters, etc., who operate generator facilities on behalf of a different person as defined in WAC 173-303-040 of this chapter shall not be deemed to "control" such generators.

(B) The small quantity generator clearly labels or marks each container(s) and tank(s) of dangerous waste with 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.

(C) The small quantity generator clearly labels or marks each container(s) and tank(s) of dangerous waste with an indication of the hazards of the contents (examples include, but 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:

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

(II) 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.

Note: SQG (VSQS) are only required to mark containers with hazard labels if shipping to an LQG who controls the SQG (VSQG). PWMartin comment.

FROM: Paul W. Martin

DATE: 6/3/2021

FILE: 2MT\2021\060321.rtf

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TWO MINUTE TRAINING – ATTACHMENT

SUBJECT: RCRA Hazard Labeling – A Random Scenario

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.

(7) Labeling and marking of containers and tanks.

(a) A generator must clearly mark or label its containers as follows:

(i) With the date upon which each period of accumulation begins is marked and clearly visible for inspection on each container.

(ii) With 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.

(iii) With an indication of the hazards of the contents (examples include, but are not limited to, applicable dangerous waste characteristic(s) or 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.