

<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
1475.	Central Accumulation Areas with Satellite Accumulation	FEB 17, 2022
1476.	Definition of RCRA Empty Tank	ENCORE FEB 24, 2022
1477.	RCRA Empty Acutely Hazardous Waste Containers	ENCORE MAR 3, 2022
1478.	The RCRA Definition of Acute Hazardous Waste	MAR 10, 2022
1479.	Regulatory Status of Liquids and Solids Separated from D001 High TOC Wastes	ENCORE MAR 17, 2022
1480.	Generator Accumulation at a Permitted Storage Facility	MAR 24, 2022
1481.	Generator Accumulation and Maximum Inventory of Dangerous Waste Onsite at a RCRA TSD	MAR 31, 2022
1482.	LDR Storage Prohibitions and the One-Year Rule	ENCORE APR 7, 2022
1483.	LDR Storage Prohibitions and Treated Hazardous Wastes	ENCORE APR 14, 2022
1484.	LDR Storage Prohibitions and Treated Hazardous Debris or Contaminated Soil	ENCORE APR 21, 2022
1485.	Satellite Accumulation, the Three-Day Rule, and Washington State vs. EPA	ENCORE APR 28, 2022
1486.	Satellite Accumulation Areas and the Three-Day Accumulation Time Limit	ENCORE MAY 5, 2022
1487.	Satellite Accumulation Areas and the Three-Day vs., the 72-Hour Accumulation Time Limit	MAY 12, 2022
1488.	RCRA and New Point of Generation	ENCORE MAY 19, 2022
1489.	High Mercury vs. Low Mercury and Point of Generation	ENCORE MAY 26, 2022
1490.	High Mercury vs. Low Mercury and Nonwastewater vs., Wastewater	JUN 2, 2022
1491.	LDR Treatability Groups and Applicability of LDR Treatment Standards	JUN 9, 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: LDR TREATABILITY GROUPS AND APPLICABILITY OF LDR TREATMENT STANDARDS

DATE: JUNE 2, 2022

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TWO MINUTE TRAINING

SUBJECT: LDR Treatability Groups and Applicability of LDR Treatment Standards

Q: Previous Two Minute Trainings (2MTs) addressed the Land Disposal Restrictions (LDR) status of hazardous waste prior to and after treatment. The [May 19, 2022, 2MT](#) addressed underlying hazardous constituents (UHCs) that became concentrated in the treatment residue, but did not require further treatment since the treatment residue was not a hazardous waste, i.e., a new point of generation had occurred, the waste was nonhazardous and hence LDR treatment standards did not apply. The [May 26, 2022, 2MT](#) concerned a hazardous waste that met the high mercury LDR subcategory (≥ 260 mg/kg - not incinerator residues) and following partial treatment for corrosivity, the mercury concentration was reduced to the low mercury subcategory (< 260 mg/kg - not RMERC residues); however, the high mercury LDR treatment standard continued to apply since a new point of generation had not occurred, i.e., only partial treatment of the hazardous waste had occurred. If a customer treated a nonwastewater (NWW) characteristic hazardous waste containing organics and mercury in the LDR low mercury subcategory (< 260 mg/kg - not RMERC residues) via incineration, and the resulting NWW treatment residue concentrated the mercury to ≥ 260 mg/kg, must this treatment residue be managed as a NWW, HIGH mercury subcategory via incineration (IMERC) or recovery of mercury (RMERC); or does the NWW, LOW mercury subcategory and LDR treatment standard of 0.025 mg/L TCLP and meet UHCs continue to apply?

A: New Rule – No long questions.

LDR treatment standards attach at the initial point of generation. If the customer's hazardous waste was a low mercury subcategory at the initial point of generation, the LDR treatment standard applies for the life of the hazardous waste until the treatment standard is met or a treatability group change occurs following treatment i.e., from a NWW to a WW or vice versa. As stated in the [May 11, 1999, Federal Register](#), page 25411, Footnote 1:

"This analysis is consistent with the so-called change of treatability group principle first stated at [55 FR at 22661, col. 2 \(June 1, 1990\)](#). That principle states that LDR prohibitions remain attached to the initial waste as long as the waste remains within the same treatability group (normally wastewater or nonwastewater). Thus, if a characteristic wastewater is treated and a non-wastewater sludge is generated from the treatment process, the prohibition for the wastewater does not automatically apply to the sludge. ..."

Since the customer's hazardous waste did not change treatability groups, a new point of generation had not occurred, i.e., the waste was generated as a NWW and after treatment, was still a NWW, the LDR treatment standard for the low mercury subcategory continues to apply, regardless that the mercury has been concentrated via the combustion process.

As stated in the [LDR Summary of Requirements](#), pg., 8-2, "Change in Treatability Group Principle for Characteristic Wastes":

"For characteristic wastes, each change in treatability group constitutes a new point of generation. LDR prohibitions remain attached to the initial waste as long as the waste remains within the same treatability group after treatment."

Therefore, the customer's treatment residue is still subject to the NWW, LOW mercury subcategory LDR treatment standard.

Note: This scenario may only apply if the incinerator had a dedicated campaign for this customer's waste. A commercial incinerator would normally manage many wastestreams from many customers with some wastes meeting LDR treatment standards and some not; and with varying treatability groups (NWW and WW) resulting in a NWW treatment residue. This means that some wastestreams would have a new point of generation and some would not.

My head hurts.

SUMMARY:

- LDR standards attach at the point of generation as long as the waste remains within the same treatability group.
- A new point of generation can occur following a change in treatability groups.
- If a new point of generation has not occurred, the initial LDR treatment standard continues to apply.

Nothing can be 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

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